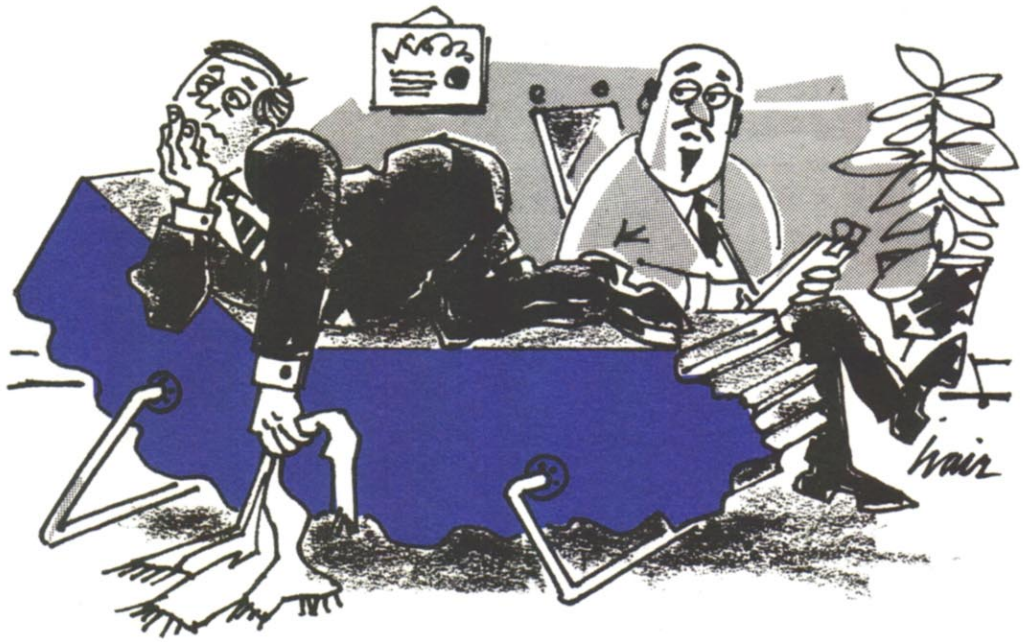
California Journal

THE MONTHLY REPORT OF STATE GOVERNMENT AND POLITICS

Mental Health System Starts Analysis



The End of the Freeway Era

Truth in Packaging ... Consumer Affairs

Telling About the Affairs of State

Short Strike Cast a Long Shadow

Trimmed Budget Makes Deadline

June - July 1972

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Editor's Note

Making the Journal More Up-to-Date . . .

When we began publishing the *California Journal* two and one-half years ago, we thought it made sense to date each issue according to the month just ended. The issue published the first week in February, for example, was labeled "January in Review". We did this, knowing it would confuse some readers, in the belief that it was the most accurate way to date the actual contents of each issue.

With this issue, however, we are changing over to the more conventional system of dating. For the transition, this issue is labeled June-July. The next issue, which will come out in early August, will be labeled the August issue, and so on. We are doing this for two reasons. First, we now run fewer articles that deal primarily with the events of the preceding month, and, second, many readers who responded to our recent survey told us that our dating system was needlessly confusing.

The change will not affect our monthly publication.

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The August issue of the *California Journal* will contain our regular annual summary of major legislative action — bills defeated as well as bills passed — in each of a dozen principal areas of state concern. It will, that is, if the Legislature recesses no later than the 28th day of July, as now appears to be the plan. We have also scheduled an extended examination of the impact of the 1971 Welfare Reform Act after one year and the first article in the series on lobbying in Sacramento — who does it, for whom, how, and with what apparent success.

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* *

In this issue, we have included a fairly long article on the transition from state hospitalization for the mentally ill to reliance upon community mental health services as the focus of the state's mental health program. We have done so not only because the subject is topical and significant in itself, but because in many ways it describes what is happening, or what many people think should happen, in other areas of public concern. In future issues we intend to examine the administration of community-centered services as well as similar developments in the fields of corrections, public health, transportation, and environmental protection.

California Journal

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State Gets $7.9 Billion 1972-73 Budget After Governor Reagan Cuts School, Salary Funds

The Senate-Assembly conference committee that hammered out the final legislative agreement on the 1972-73 Budget Act was identical in membership to the 1971 conference committee, with Assemblymen Brown, Lanterman, and Porter representing the lower house and Senators Collier, Teale, and Marler representing the upper house. This, and the fact that the conferees had ample time to debate their differences, undoubtedly contributed to the smooth working of the committee — as did, of course, the legislators' certain knowledge that whatever they decided among themselves, it was Governor Reagan who would have the final say.

Moreover, five days before the conference committee began its work, Director of Finance Verne Orr had announced that his department's new revenue estimates pointed toward a possible 1972-73 year-end surplus of $459 million, or $301 million more than the administration had expected when it first introduced the budget in January. Although Governor Reagan promptly claimed $340 million of the surplus for a tax relief and school finance measure that had been introduced with his backing on May 17th, the legislators obviously had plans of their own for this money. Experience told them that Reagan would veto their proposals for increased spending no matter how they tried to bind his hands with restrictive language, but unless they were to concede that the Legislature has little to say anymore about the way the state spends its money, they at least had to go through the motions of presenting their own plans.

Conference Report

The Report of the Committee on Conference that finally emerged on June 13th runs to 89 pages, not counting a 28-page supplementary report intended to clarify legislative intent, specify certain spending limitations, and list requested budget studies. The report itself, prepared by the Legislative Analyst, deals with some 220 individual budget items as to the amount to be expended, restrictive language, or both. Thus there is no easy way to summarize all of the changes to which the members of the conference committee agreed. It is possible, however, to identify some of the committee's most significant actions.

In the matter of support for the public schools the conferees agreed to provide a total of $175 million in additional school aid, as compared with the amount of $65 million proposed by the Governor. The $175 million consists of $78 million to pay for an increase of $16 per ADA in the foundation programs (minimum support) for equalization districts, 32 million for a doubling of "supplemental support" for the poorest districts, and $65 million for a comprehensive compensatory education program. (An additional amount of $88 million, which according to some reports brought the total up to $263 million, was carried over from the two preceding years.) The Assembly had originally proposed $165 million in new aid and the Senate $100 million.

The Assembly members of the conference committee agreed to drop a proposed $10.4 million item which was to pay for an experiment with mandatory roadside emission inspections and disconnection of the vacuum spark advance for vehicles in the Los Angeles basin. They also agreed to back off a little from their sharp reductions in the Lt. Governor's staff adopted at the direction of Ways and Means Chairman Willie Brown (see *California Journal*, May 1972, p. 146). The conference report provided for a reduction of three staff positions rather than the six positions cut by the Assembly. However, it was also agreed to cut two positions from the staff of Secretary of State Edmund G. Brown Jr., to reduce his Los Angeles office rental allowance and to direct the Legislative Analyst to do a cost-effectiveness study of his office, apparently in reaction to Brown's aggressive campaign to tighten campaign finance reporting requirements (see *California Journal*, April 1972, p. 116). Brown and Lt. Governor Reinecke are leading contenders in their parties for the 1974 gubernatorial nomination, but apparently have few supporters in that role among the legislators.

Other highlights of the conference committee report were:

Industrial Relations. The Senate agreed to add $926,000 to the budget of the Department of Industrial Relations, including $734,000 for the Division of Industrial Safety and $144,500 to enforce alien labor laws.

Corrections. The Assembly agreed to add $600,000 to the Department of Corrections budget for improvements in correctional officer recruitment and training and the upgrading of 300 correctional officer positions.

Medi-Cal. $5 million deleted by the Senate from provider services was added back to the budget, and both houses agreed to earmark $25.6 million for reduction of the county share of Medi-Cal costs.

Medical Schools. $1.1 million was added by both houses to meet the operating deficit of the Sacramento Medical Center which is to become a UC teaching hospital. Another $200,000 was added to the operating budget of the UC Davis Medical School, but an increase in on-campus hospital planning funds for Davis and Irvine was eliminated.

Job Training. The Senate agreed to add $1.3 million for additional training openings in the Work Incentive Program.

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SUMMARY OF THE GOVERNOR'S 1972-73 BUDGET ACT VETOES

The following are the major items and amounts vetoed by Governor Reagan before he signed the 1972-73 Budget Act on June 22nd.

Legal Aid. State subventions to counties for legal assistance to indigents are reduced by $54,000 to $1.4 million, "the traditional contribution to counties for legal assistance to indigents."

Salaries. Salary increases for state civil service and other nonacademic employees are reduced from 7.5 percent to 5 percent, as originally proposed by the Governor. Salary increases for UC and California State University faculty are reduced from 12.5 percent to 7.5 percent. "Inequity" funds, according to the Governor, will raise the average increase for civil service workers to 8.4 percent and provide a lesser additional adjustment for UC and CSUC employees. The total reduction is $46.5 million.

Corrections. The budgets of the Department of Corrections and the Youth Authority are reduced by a total of $1,144,000 to delete an augmentation of $855,000 in training funds (to be provided from another source), $100,000 for reclassifying correctional officer jobs, $50,000 for recruitment, and $289,000 for inmate self-help and welfare funds.

Medi-Cal. A total of $58.2 million has been cut from the Medi-Cal program, eliminating a provision added by the Legislature to increase subventions to the counties by $25.6 million and cutting total caseload costs by $32.6 million. According to the Governor's statement, the "present cost sharing as set forth in the statutes is equitable."

Job Training. State funds for the suport of the Work Incentive Program are reduced by $1.3 million to $8.2 million, to reflect an increase in federal support under a new 9-1 matching formula.

Public Health. The budget of the Department of Public Health is reduced by a total of $800,000, eliminating $500,000 for comprehensive health planning and an increase of $300,000 for family planning.

Welfare. An item of $3 million added by the Legislature to pay for "unmet shelter needs" (special housing costs) of welfare recipients is reduced to $1.5 million, and the remaining amount is allocated to adult aid programs with the explanation that the counties are required to meet the cost of any special AFDC recipient needs under the Welfare Reform Act of 1971.

Special Education Deleted $700,000 to transfer the northern school for the multi-handicapped deaf from Berkeley to the Mendocino State Hospital, which is being closed as a mental hospital.

School Funds. New state support for the public schools is reduced from $175 million, as proposed by the Legislature, to $102 million (the Governor originally asked for $65 million). The total reduction of $73 million consists of $8 million from supplemental aid for low-wealth districts (leaving a $24 million increase) and $65 million proposed by the Legislature to fund a "comprehensive compensatory education program" as defined by AB 1976 (Brown).

Child Care Centers. An item appropriating $3 million to the Department of Education, rather than to the Social Welfare Department, to fund county child care programs is deleted. The Governor said he will back separate legislation to appropriate the $3 million to the Social Welfare Department. An additional amount of $150,000 has been cut from the Department of Education's budget for campus child care centers on the basis that such centers should not be a state cost.

Libraries. State aid to public libraries is cut back from $1,346,000 to $800,000, the current level of funding.

Higher Education. The Governor reduced operating funds for UC by $3.3 million and CSUC by $572,000, and cut a total of $2.9 million from CSUC and community college EOP funds. State Scholarship funds are reduced by $975,511, based on a revised award cost estimate. The Governor also deleted the $26.6 million added by the Legislature to permit UC to eliminate its tuition charge. In doing so, the Governor noted that "tuition is increasing in importance at every major university in the United States."

Parks. $1.9 million budgeted for acquisition at Refugio State Beach is deleted.

PUC. The staff augmentation for the Public Utilities Commission is reduced by $420,115 to the original amount of $97,310.

Other. $1,250,000 from state matching funds for federal Law Enforcement Assistance grants; $5 million (entire item) for tort liability claims resulting from capitol structural deficiencies; $900,000 from the Personnel Board budget for supplemental welfare grants; $106,000 from the State Lands Division budget; a $350,000 loan to the City of Avalon by the Department of Navigation and Ocean Development; $3.5 million from state subventions for flood control projects; $409,000 to delay the closing of Mendocino State Hospital; $191,700 for Department of Education staff; $482,000 for compensatory education Professional Development Centers; $500,000 (one-half) from a new mathematics teaching program; $550,000 for project SHARE; $656,100 to eliminate tuition and set up a new branch of Hastings College of Law; $910,000 for capitol outlay projects; and $412,555 from miscellaneous other items.

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Mental Retardation. $1.1 million was added at the request of the administration for staffing the mental retardation and foster grandparents programs in the Human Relations Agency.

Social Welfare. Both houses agreed to restore most but not all of the legal and other administrative positions they had deleted from the Department of Social Welfare budget. It was also agreed to add $942,800 for homemaker or attendant care services and $7.5 million for special needs allowances. The Senate also agreed to add $3 million for unmet shelter needs.

Special Schools. $1,150,000 was added by both houses to expand state facilities for teaching multi-handicapped deaf students.

Earthquake safety. The Assembly agreed with the Senate in refusing to provide $30 million for the correction of earthquake safety deficiencies in school buildings.

Parks. The Assembly agreed with the Senate to delete a net amount of $1.8 million requested for development of the Point Mugu park.

Controls. Both houses agreed to adopt control language proposed by the Assembly to block expenditure of state funds for support of any state agency whose structure and operation does not follow statutory requirements, an approved reorganization plan, or the budget act.

Easy Passage

The conference report encountered no substantial opposition in either house of the Legislature when it came up for floor vote. A bipartisan group of Assemblymen, pledged to fight for a substantial increase in school funds, asked Speaker Bob Moretti to delay the budget vote until Governor Reagan gave his assurance that he would not cut the additional school aid proposed by the conference committee, but Moretti agreed only to pass the message along to the Governor, saying it was up to Reagan himself to decide. Republican leaders in both houses were notably restrained in their criticisms of the compromise bill.

The Assembly approved the conference report by an unusually heavy vote of 72-4 after a brief debate that revealed nothing more than token opposition. The vote in the Senate was 31-2, again with little discussion. Perhaps the most interesting thing about the final vote was that newly elected Senator Craig W. Biddle got to vote twice, first from his old seat in the Assembly and then, later the same day, after he had been sworn in as a member of the upper house, as a Senator. His replacement in the Assembly, William Lancaster, did not get to vote at all.

The budget bill that went to the Governor on June 16th provided for a total of $7.9 billion in spending for 1972-73, approximately $250 million more than the budget he had originally proposed plus the additional amounts sought later by the administration. It was, nevertheless, a balanced budget that would have left a General Fund surplus of $167 million.

Governor's Vetoes

Governor Reagan had made no secret, however, of his intention to veto most of the amounts added by the Legislature, and the administration's analysts in the Department of Finance had begun to prepare their recommendations for the Governor's vetoes even before the Legislature had completed its work. It was no surprise, therefore, that when Reagan signed the budget act a week later, on June 22nd, he had cut approximately $257 million from the bill passed by the Legislature.

The two biggest cuts were in new school aid and salary-increase funds. The added school funds were reduced from $175 million to $102 million by deletion of the entire $65 million item for compensatory education programs and a cut of $8 million in the proposed increase in supplementary support for low wealth districts. "There is ample time for the Legislature to enact a combination tax reform and school finance bill at this session, and I have proposed one," said Reagan in announcing his action. "The $73 million will remain in surplus available to local schools at such time as the Legislature places on my desk a bill conforming to the general principles of the Serrano case." If that does not occur, the Governor went on to say, the $73 million will be set aside to be spent whenever the Legislature does pass a "comprehensive school tax financing reform." Evidently the Governor felt he could not agree to all the additional school spending proposed by the Legislature without killing any chance of passage for his own tax relief and school finance proposal (see *California Journal,* May 1972, p. 144).

The Governor also made a sharp cut in salary increase funds, reducing the total expenditure by $46 million, leaving $164 million, or enough to cover the general 5 percent increase for civil service and non-academic higher education jobs and a 7.5 percent increase for UC and CSUC faculty, plus the equivalent of an average 3.4 percent "inequity" increase for civil service employees and approximately two-thirds that for UC and CSUC employees.

Although several individual legislators expressed anger over these cuts and the reduction or deletion of other funds that they had championed, the announcement of the Governor's vetos brought no general outcry such as occurred, for example, last year. Senate Democratic Caucus Chairman Mervyn M. Dymally expressed some bitterness over the Governor's cuts in school aid, EOP programs, and child care centers, but even he was philosophical about it. "We've come to expect the Reagan administration to maintain the rich and the privileged in their rich and privileged position in the budget," said Dymally. "Poor youngsters take it on the chin from the fighting governor." Assembly Speaker Moretti and Senate Majority Floor Leader George R. Moscone talked about a (necessarily) bipartisan effort to override several of the Governor's vetoes, but obviously with little hope that they could succeed in what has nearly always proven to be a fruitless gesture even under the most favorable conditions.

All in all, the 1972 version of the annual budget battle was a very tame affair as compared with the experience of the recent past. The legislators apparently had decided that it is futile to attempt to bargain with Governor Reagan over his budget. Equally important, rising tax revenues and declining state costs for public assistance had made it possible for the Reagan administration to be freer with the purse strings than at any time since Reagan was elected in 1967. Even University of California President Charles J. Hitch, who has regularly found himself predicting financial doom for the University at this time of the year, seemed moderately optimistic. The University's years of austerity, he told the Regents in mid-June, may at last have "bottomed out."

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Freeway Era Draws to a Close as New Ways Are Sought for Moving People About

BY MICHAEL WENSTROM

Without question, California enjoys one of the finest systems of roads and highways in the world. The system is, indeed, a marvel in the way it provides for the rapid movement of people and goods up and down and across the state. In no small part this is due to its relatively recent development. Although a few of the roadways date back to Spanish mission period, the highway system itself was begun no more than 65 years ago, and nearly all of the state's elaborate 4,500 mile freeway system has been constructed since 1950. As a consequence, it has become a striking demonstration of what can be achieved through the combination of modern technology, careful planning, efficient administration, and ample funding.

Yet there has been a growing resistance in many parts of the state to any further additions to the system. To some, the state's vast highway network has become a "carpet of grey" and a major contributor to several of California's serious environmental problems. The freeway system, which serves so well as a conveyor of people and goods between widely separated points, does not work as well within the major metropolitan areas, where it has come to be characterized by congestion, pollution, frequent accidents, absorption of valuable land, and the destruction of community values. For many years it has been evident that the continuing expansion of the highway and freeway system has bred a proportionate increase in the volume of traffic using the system, with the result that the problem of congestion is seldom solved — new stretches of freeway too often simply create new problems of congestion.

But while it has become increasingly obvious that the state can no longer continue to construct freeways without greater regard for other values and for the development of a better balance of transportation modes, those who have sought to halt or even slow the growth of the highway and freeway system have found it exceedingly difficult to do so. Having helped to create a system which is relatively free of many of the usual restraints on public activity, they now find it difficult to regain control. Moreover, despite general agreement as to what has to be done, there is little agreement as to how exactly to go about doing it — that is, how to develop the balanced transportation system which everyone seems to want.

The existing system is thus under attack from several sides and on more than one level. One of these attacks is aimed at restructuring the top policy-making and management bodies to give the state a greater role in developing forms of transportation other than highways and freeways. Another is aimed at giving the Legislature a greater role in determining the allocation of highway funds. A third is directed toward releasing highway funds for expenditure on other modes of transportation (regional rapid transit in particular). There have also been an increasing number of attempts in the Legislature and at the local level to block construction of specific freeway extensions and to remove portions of the highway system from the state's freeway plan. And, finally, there have been efforts to go ahead with the construction of alternative transportation modes (e.g., Bay Area Rapid Transit) which the developers believe will prove superior to further freeway expansion in metropolitan areas. Taken separately each of these approaches has shortcomings that cast considerable doubt as to its feasibility. Taken together, however, these attacks on the existing system suggest that California is in the midst of a transformation of its surface transportation system which will bring an end to the freeway era and a beginning of widespread experimentation with other modes of transportation.

Present Structure

Although the Legislature has retained responsibility for determining the general pattern of the state highway system, it has delegated to the State Highway Commission authority to determine specific routes, decide which highways shall be incorporated within the freeway system, and approve county primary road systems. The actual construction of the state highway system is the responsibility of the Department of Public Works and its Division of Highways, which employ 18,000 people to plan, construct, and maintain the state's highway network.

The construction of streets, roads, and highways is financed from user taxes: primarily a tax on the sale of gasoline and motor vehicle fees. Under the terms of Article XXVI of the state constitution, these funds are dedicated solely to this single purpose, providing a steadily growing source of funds out of the reach of those who would like to spend the money for other purposes. Article XXVI, which was adopted in 1938, states that "all monies collected from any tax now or hereafter imposed by the state on the manufacture, sale, distribution, or use of motor vehicle fuel . . . shall be used exclusively and directly for highway purposes . . ."

The revenues from the gas tax and motor vehicle fees, which in 1971-72 amounted to $804 million, are divided between the state highway system and local streets and roads under the Collier-Burns Act of 1947, as subsequently amended. At present about 40 percent goes to local government for the construction and maintenance of city and county streets and roads, and 60 percent goes to the state highway system.

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Bitter regional rivalry over the distribution of state highway funds forced the Legislature in 1927 to adopt an allocation formula dividing the state between the northern and southern counties and classifying state highways as freeways, primary routes and secondary routes. At present that part of the state which lies south of the Tehachapi Mountains receives 60 percent of the highway fund, and that part to the north receives 40 percent. Since 1947 the larger portion of the funds, north and south, has gone for the construction of freeways linking the principal population centers of the state. In 1959 the Legislature adopted the Collier Master Plan for Freeways (named for Senator Randolph Collier, the "father" of California's freeway system), which established the statewide freeway and expressway system incorporating nearly all of the major highways then existing or planned for the future.

Federal Funds

The federal government also contributes substantially to road and highway construction costs, largely from the four cents per gallon federal gasoline tax. A portion of the federal funds is returned to the state according to a matching formula. But the largest part of the federeal revenue goes into the federal Highway Trust Fund, which is dedicated to the construction of the National System of Interstate and Defense Highways, more commonly known as the Interstate Highway System. Under the terms of the Highway Revenue Act of 1956, expenditures from the Highway Trust Fund, which was recently described in the *New York Times* as "a wonderment of political engineering", are almost as tightly tied to highway construction as are state highway user revenues.

Those who have argued successfully for the dedication of highway user taxes for highway construction and maintenance — the automobile clubs, oil companies, automobile manufacturers, and highway construction firms — maintain that the demand for a growing and well-maintained network of streets and highways continues to be so great that California cannot afford to have any existing state and federal funds diverted to other modes of transportation. Other forms of transportation, they say, should be funded from other sources.

Many of those who favor the development of other modes of transportation, including mass rapid transit systems, argue, on the other hand, that the dedication of all gas tax and motor vehicle fees to roads and highway construction prevents the development of other forms of surface transportation. They argue that the present system is a closed circle: the fact that the federal government will pay 90 percent of the cost of a highway included within the interstate system generates a strong interest in building such roads, which increases highway traffic, which generates more gas tax revenue, which finances more highway construction. A balanced transportation network can be created, say the critics of the present system, only when all modes can compete for available transportation dollars. In particular, they say, it will be extremely difficult to develop full-scale rapid transit systems in the major urban areas without state and federal funding from highway revenues.

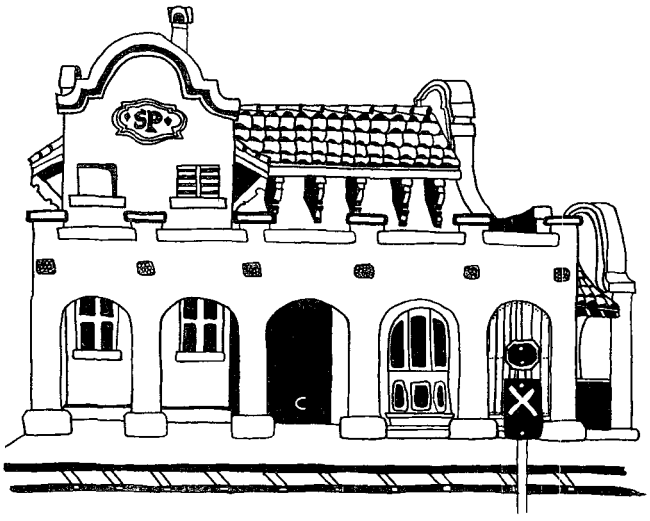
Gas Tax

In 1970 Senator James Mills was successful in winning the approval of the Legislature for placing before the voters a constitutional amendment to permit the use of up to 25 percent of gas tax revenues for local transportation purposes, if desired by a majority of the local voters. The measure, which went on the November ballot as Proposition 18, was defeated following a vigorous and well-financed campaign by the measure's opponents.

In 1971 Senator Mills tried a different approach, this time with a bill to levy a sales tax on gasoline with the revenue to go to local transportation systems. That measure, SB 325, was approved by the Legislature and signed by the Governor. The new law, which went into effect on July 1st of this year, reduced the state share of the sales tax from four percent to three and three-fourths percent and deleted the sales tax exemption for gasoline. In addition, it authorized the counties to impose a sales tax of one and one-quarter percent rather than the existing one percent, also effective July 1st. The added one-quarter of one percent of the sales tax is to be used for financing transportation systems according to local wishes. It is expected that the new law will produce some $173 million annually for this purpose.

Passage of SB 325 served to remove some of the pressure for amending Article XXVI of the state constitution. Supporters of such a change have continued to insist, however, that the amendment of Article XXVI is necessary to the development of a balanced transportation system for the State of California. For the past three sessions Assemblyman John Foran has sponsored a constitutional amendment to modify Article XXVI, as have Senators Nicholas Petris and Milton Marks. Foran's legislation would expand the use of highway user tax revenues to include financing capital expenditures for public transportation and would provide money for the abatement of vehicle-caused air pollution. During the 1971 legislative session, Foran got his ACA 16 through the Assembly, but the measure fell three votes short of a necessary two-thirds majority on the Senate floor. Foran reintroduced the measure this session, but it was again defeated in the Senate, this time by seven votes.

Interestingly, however, there is a growing possibility that federal funds may soon be freed to finance other public transportation systems. On March 14th, Secretary of Transportation John Volpe recommended a program under which money from the Highway Trust Fund could be used for urban public transportation or high-



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ways at the option of state and local authorities. Volpe called for amendment of the Highway Revenue Act of 1956 to authorize, for the first time, the use of trust funds for other than highway related projects. Under Volpe's proposal, $1 billion in trust funds are to be authorized for capital investment for public transit in the 1973-74 fiscal year. In recommending this action, Volpe said, "The change in the law is essential if the transportation department is to fulfill its mission to create a balanced transportation system and solve the problem of increasing urban congestion."

Support for change in the federal law has come from a variety of sources, not the least significant of which is Henry Ford II. Ford, who broke with his colleagues in the auto industry in January, throwing his support behind opening up the highway trust fund to spending for rapid transit as well as freeways. And last year the National Governors' Conference, which has long been a staunch champion of the trust fund, recommended that it be placed within a larger transportation fund to subsidize a variety of state transportation plans.

Legislature's Role

At the state level, there has also been increasing agitation for giving the Legislature a greater hand in the actual allocation of highway funds. At present the Legislature has no voice in the annual spending of nearly $1 billion for highway construction and maintenance. That power has been delegated to the Highway Commission through the device of a continuous appropriation of highway funds; the Legislature must be content with reviewing the situation every four years. This year Assemblyman Wadie P. Deddah carried a bill, AB 235, which would have given the Legislature direct control over the state highway budget. A similar measure was carried by Assembly Ways and Means Chairman Willie L. Brown Jr. Supporters of these measures argued that such action is necessary because of the unresponsiveness of the Department of Public Works and the Highway Commission to the real needs of the state. Opponents declared, however, that it would bring back "pork barrel politics" in highway spending. On May 1st the bill was defeated on the Assembly floor by a vote of 34 to 30, with 41 votes required for passage.

In an apparent effort to head off further legislative action, as well as to respond to changing public attitudes, the Department of Public Works submitted a report to the Legislature in May recommending that the state examine alternative modes of transportation between two cities rather than always assume that a new or expanded freeway is needed. The report, which was signed by Director of Public Works James A. Moe, also recommended that a system of road classification by function be substituted for the present freeway and expressway program, but without halting the construction of freeways where they are found to be needed.

Agitation for a broadening of state transportation policy has also resulted in some changes in the state's administrative structure. In 1969 the Reagan administration set up a State Transportation Board in the Business and Transportation Agency to provide the secretary of that agency and the Legislature with advice and assistance "in a broad overview of the effectiveness and compatibility of public programs in transportation in relation to other public programs and private enterprises." The seven-member board consists of a member of the Highway Commission, a member of the State Aeronautics Board, a member of the California Toll Bridge Authority and four others, all appointed by the Governor. In addition, two legislators serve as non-voting members. The board reviews plans for all elements of the state's transportation network, including the highway system, the State Aviation Master Plan, and regional transportation plans.

In 1970 an Office of Transportation Planning and Research was set up to provide staff services to the Transportation Board and to the agency secretary with respect to the development of a balanced transportation system for the state. On paper this appears to have been a major step in enabling California to break out of the freeway strait jacket. In practice, however, the small staff, with its dual responsibility to the board and the agency secretary, has had neither the resources nor the independence to exert a significant influence on state transportation policy.

Department of Transportation

Legislative efforts to set up an independent and well-staffed transportation board outside the Business and Transportation Agency have so far been unsuccessful. This year, however, Assemblyman Wadie Deddeh, at the request of the Governor, is carrying a bill, AB 69, to create a State Department of Transportation. Governor Reagan proposed creation of the new department, modelled after the federal Department of Transportation, in his 1972 State-of-the-State message. Its purpose, he said, would be to "help plan and develop the proper combination of transportation systems to meet the needs of our people." The administration intends that the new department shall combine the mammoth Department of Public Works, the Department of Aeronautics, the miniature Office of Transportation Planning and Research, and the Division of Bay Toll Crossings, bringing together some 20,000 employees and an annual budget of over $1 billion. It is to be responsible not only for highway and freeway construction but also airport planning, urban rapid transit systems, and bus lines, and is to stand ready to assist urban areas to plan their own balanced transportation systems. According to Frank J. Walton, Reagan's Secretary of Business and Transportation, the new department will have a Division of Transportation Planning which "will develop and continuously update a comprehensive state transportation plan . . ."

It seems evident, in short, that there has been a significant effort in the past few years to restructure and redirect the state's policies and activities in the field of transportation. Both the Legislature and the administration have shown an awareness of the need to broaden the state's role substantially to move from an all but insurmountable emphasis upon the construction of more highways and freeways to a concern for the development of a balanced transportation system which includes freeways, urban rapid transit, bus lines, high-speed interurban trains, and other as yet untried methods for moving people and goods quickly, efficiently, and with a minimum impact upon the environment. Thus, California, like much of the rest of the U.S., seems to be going through an important period of transition in transportation policy, a period which is exciting not only for what is now beginning to be achieved but for what seems possible in the years ahead.

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California Moves Rapidly to Community-Centered Mental Health Programs Under 1967-68 Legislation

By Valorie J. Bradley

On July 1st, while proponents of California's community-oriented system of services for the mentally ill quietly celebrated the third anniversary of its inception, unreconstructed opponents of the program were making a last-ditch stand in the courts to save what remains of the old state hospital system.

Partisans of the new system, which was written into law with passage of the Lanterman-Petris-Short Act (which went into effect in 1969), believe that the experience so far has validated the legislation's promise, and cite the following as evidence: Mentally disordered persons are now granted civil liberties that they were previously denied; the special courts that were committing over 1,000 involuntary patients a month to state hospitals for indefinite periods have virtually ceased to exist; the majority of the patients who once were "warehoused" in the state's huge mental hospitals have been moved into smaller facilities closer to home; and comprehensive mental health programs have been established in 56 of the state's 58 counties.

Its critics argue, on the other hand, that the principal result of the law has been to close several state hospitals prematurely and to place mentally ill persons in inadequately supervised local facilities. According to the California State Employees Association, which is representing mental hospital employees who have lost or face losing their jobs, the program is best described as "Mental Hygiene's relentless drive to get out of the mental health business." The consequence, says CSEA, is that an increasing number of mentally ill persons are being turned back into their communities to either "run free in the streets" or be put away in understaffed, poorly maintained "miniature warehouses".

To understand the present controversy, however, it is important to know how and why the Lanterman-Petris-Short Act came into being. The curious thing is that the "radical" reform embodied in that act actually began to emerge more than 30 years ago. In 1939, California took its first step toward community-based programs with the authorization of "extramural" care. Under this program, the mental hospitals began to place in family care homes those patients who had responded to treatment, to help them to make the transition back to "normal" living. In 1946, as this program continued to grow, the Bureau of Social Work was created to employ trained psychiatric social workers to supervise these family care placements.

The program received a second boost that same year when Congress passed the National Mental Health Act to provide financial aid for the development of local mental health programs in each state. While many other states used their new federal dollars to shore up state hospital programs, California was able to divert its share of these funds to local communities for creation of community mental health clinics. Later, another source of federal dollars, the Hill-Burton hospital construction grants, also helped California add to the number of local clinics while many other states continued to construct state facilities.

Another important step came in 1955, when the Legislature began appropriating funds for the purchase of new "wonder" drugs for use in the state hospitals. The use of these drugs helped to make it possible to move many more patients out of the state hospitals and back to their home communities.

That same year, Senator Alan Short, who had developed a strong interest in community care, was appointed chairman of the Senate Interim Committee on the Treatment of Mental Illness. The principal objective of the committee, under Short's direction, was to develop a formula for continuing state aid for community mental health facilities. In 1957, as a result of the committee's work, the Legislature passed the Community Mental Services Act, which has become better known as the Short-Doyle Act, establishing a 50-50 state-local funding formula for development of community mental health programs. The Short-Doyle system grew rapidly, and by 1962 it was apparent that the Department of Mental Hygiene was operating two competing programs, the hospital system and the Short-Doyle program. In view of the growth of the community program, department officials prepared a long-range plan giving priority to the Short-Doyle system. In 1963, the Short-Doyle Act was amended to raise the state share to 75% and to include involuntary inpatient care among the reimbursable services, and a start was made to involve local programs in the care of the more seriously mentally disordered.

As the Short-Doyle program continued to grow, the patient population in the state's institutions declined. In 1959, at the peak of the state hospital program, the total resident-patient population reached 37,000. By 1967 (the year the Lanterman-Petris-Short Act was passed), the figure had dropped to 21,966 patients, despite the phenomenal growth of California's population during the same period. Moreover, as more counties establish-

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ed programs under the Short-Doyle Act and as the state's contribution increased, the budget for local programs also grew substantially (see chart). By 1969-70, 55 counties were providing Short-Doyle services for 45,000 inpatients (admissions) and 120,000 outpatients.

In 1963, an Assembly Ways and Means Committee set up a Subcommittee on Mental Health Services. The subcommittee chose as its first issue, the need for community resources for the care of mentally retarded children, and its studies led to establishment of regional centers for the retarded. In 1965, the subcommittee embarked on a second major study, this one dealing with involuntary treatment of the mentally ill. This study eventually led to passage of the Lanterman-Petris-Short Act.

To the subcommittee members, the key obstacle to creating a truly responsive mental health system lay in the commitment process. It was their belief that the commitment process itself perpetuated the public's erroneous equation of mental illness with dangerousness. This public attitude, they felt, provided much of the justification for the institutional treatment system, complete with locked wards and dehumanizing procedures, and the curtailment of patients' civil rights. The subcommittee was also impressed by the reports of the California Medical Association regarding its extensive investigation of state hospitals. According to the CMA's reports, California's mental hospitals were far below minimal standards in almost every respect.

If the commitment system were abolished, the legislators reasoned, a chain reaction would start, resulting in fewer involuntary placements, shorter periods of hospitalization, diversion of patients and dollars to a variety of community services, development of new attitudes and procedures among treatment personnel, and, most important, a change in public attitudes toward mental disorders and how to deal with them.

The central strategy used by the legislators to destroy the commitment process was rather simple. The first step was to issue a report, *The Dilemma of Mental Commitments*, which was designed to heighten tension between legal (civil libertarian) interests and treatment (mainly medical) groups. As anticipated, the civil libertarians objected to the commitment courts' lack of due process and to the fact that patients could be indefinitely deprived of their liberty based on medical judgments. Consequently, they demanded greater attention to due process in the courts. Medical and other treatment-oriented groups, on the other hand, objected to the court process on the grounds that it was disruptive, untherapeutic, and constituted a serious obstacle to treatment. They wanted little or no interference by the courts.

Having publicly escalated the conflict between civil libertarian and therapeutic objectives, the subcommittee members then offered a compromise: community treatment centers would be permitted to hold patients under certain conditions for up to 17 days without mandatory court review, but involuntary care beyond 17 days could be ordered only after a thorough legal review of the evidence, with full due process. Thus, the civil libertarians were to gain greater attention to due process and an end to indefinite commitments, and the medical groups were to gain authority for mental-health professionals to treat patients for 17 days without court interference. In designing the actual provisions of the act, however, the subcommittee deliberately created procedural obstacles to the granting of long periods of involuntary treatment. It was thus clearly intended that the system would work much like a funnel, with a relatively large and simple entrance but with increasingly restrictive criteria and complex procedural requirements further on to discourage extended periods of involuntary treatment.

MAJOR PROVISIONS OF THE LANTERMAN - PETRIS - SHORT ACT

- Pre-petition screening to avoid unnecessary involuntary detention.
- Comprehensive evaluation as necessary to determine the nature of the problem and suggest solutions.
- Involuntary detention and treatment through a certification procedure for a maximum of 14 days following evaluation, if a person is gravely disabled or a danger to others, and for 28 days if a danger to himself.
- The right to court hearings when requested during the 14-day period.
- Additional periods of 90 days of involuntary commitment limited to persons proven in court to be dangerous to others.
- New options for judges to refer chronic alcoholics to medical facilities rather than jails.
- Reinstatement of civil liberties previously denied mental patients, such as the right to vote and to make and receive phone calls.
- Conservatorship supervision for those judged by the courts to be gravely disabled (unable to meet their basic food, clothing, and shelter needs).

New Financing Mechanism

Although the major focus of the Lanterman-Petris-Short Act was to reform commitment procedures, the authors were also well aware of the need to provide adequate funding for community care. If the reform measure was to be fully implemented, they knew it would require development of new comunity services at considerable public cost to care for involuntary patients. Thus, the success of the act would depend greatly on the state's ability to allay the fears of local governments that they would have to foot the bill. At the same time, in order to gain support from the Governor and the State Department of Finance, it was important to design a financing system that would not entail a major increase in state costs.

The problem, as Assemblyman Frank Lanterman said in a speech which summarized these concerns at San Fernando Valley State College, is that there was no relationship between the way funds were allocated between the state hospital system and Short-Doyle clinics. "Under the present statutes," he told his audience, "as the mentally ill population declines in the state hospitals and increases in the community, there is no systematic procedure whereby mental health dollars can be shifted in accord with patient movement."

The subcommittee moved quickly, however, to correct this situation. In 1968, one year after passage of the Lanterman-Petris-Short Act but a year before it

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was to go into effect, the subcommittee introduced and won approval of legislation establishing a new funding formula. The bill, AB 1454 (Lanterman), set up a unified subvention system based upon the existing state-county ratio for funding the entire mental health system. This ratio was determined by comparing the total local mental health budget with the total state hospital budget. The resulting statewide average — 90 percent state, 10 percent county — then became the uniform standard for state and local sharing. Each county was required to support 10 percent of its local program and 10 percent of the cost of caring for its residents in state hospitals, while the state picked up 90 percent of the cost in each case. In this way, the counties could no longer shift disturbed patients to state hospitals under indefinite commitments; nor could they continue to overuse state facilities without paying at least a part of the cost.

Passage of the Lanterman-Petris-Short Act in 1967 and AB 1454 in 1968 was achieved through a bipartisan effort led by conservative Republican Assemblyman Lanterman and liberal Democratic Senators Nicholas Petris and Alan Short. Much of their success lay in their ability to neutralize partisanship, take advantage of the momentum created by previous changes in mental health policy, and maintain their tenacity and commitment to reforming the old system. When the new laws went into effect on July 1, 1969, it was apparent that they would have a major impact on the state's mental health program.

But the new system remained to be tested, not only as to whether the counties would realize their fair share of state hospital savings, but also as to whether the local communities would be able to handle increasing numbers of seriously disturbed patients and the state withstand the predictable political reaction to the inevitable closure of many state hospitals.

State Hospitals Close

As noted earlier, the patient population in the state's hospitals for the mentally ill had begun to decline well before passage of the Lanterman-Petris-Short Act. In fact, between 1959, when the number of patients in state hospitals reached its peak and 1969, when the new act went into effect, the patient population had dropped by slightly more than half. Many experts felt then that the rate of decline had begun to slow appreciably, however, and they now credit the commitment and financing reforms for most of the drop in state hospital patients since 1969. As of this July 1st, in any case, the resident patient population in state hospitals is down to 8,235, and the projection for next July is 7,000. The achievement that these figures represent is all the more striking when they are compared with the patient population figure for the state of New York — which now stands at approximately 49,800.

As anticipated, the continuing decline in the number of state hospital patients had steadily raised the cost per patient of operating those hospitals, encouraging economy-minded state officials to close as quickly as possible the hospitals that have lost the most patients. Modesto State Hospital in Stanislaus County, the first to be shut down, closed its doors on June 30, 1970. Next was DeWitt State Hospital in Placer County, which officially ceased operation a year later. In both cases, there was pressure from the communities, employee groups, and local legislators to keep the facilities open, but the flow of patients had all but stopped, and their continued operation could no longer be justified. A third institution, Agnews State Hospital in Santa Clara County, was scheduled to close its mental health facility this spring, but a temporary restraining order was issued in March delaying final action, despite the fact that only four mental patients remain and no new admisions are being accepted. Mendocino State Hospital, where 200 patients remain, is the next scheduled for closure. Of the six remaining hospitals, it seems likely that at least three will be closed by the end of 1975.

Some have called these closures precipitous, and charge that there are not enough community mental health facilities of good quality to absorb the chronically ill patients released from the state facilities. Whether this assertion is true or not is hard to say. Undoubtedly, some patients have been placed in substandard local facilities, but it is also true that many patients were poorly cared for in the state hospitals. On the average, community care for chronically ill mental patients is certainly no worse than that provided in the state hospitals, and it is probably significantly better. The problem is that no one really knows how much better.

Another important question is whether the dollars have followed the patients from the state institutions to community programs as promised under the new financing system. It is obviously important to the success of the new system that those counties that have sent fewer patients to the state hospitals, placing them instead in local treatment programs, have, in fact, received compensation for doing so out of the savings to the state.

In the fall of 1970, the Assembly Ways and Means Subcommittee on Mental Health Services conducted a series of hearings on this question, and found that in several parts of the state the shift in funds was not happening as planned. Officials from several counties told the legislators that even after they had substantially reduced the number of patients referred to the state, they had not received the promised financial reward. The explanation, according to the Departments of Mental Hygiene and Finance, was that the direct transfer of state savings back to the counties was never

MAJOR PROVISIONS OF AB 1454 (1968)

- Created a single appropriation for mental health services in the state budget, integrating the state hospitals and the Short-Doyle system. State funds are to be allocated in accordance with the priority needs in approved county Short-Doyle plans and funded on a 90%-10% state-county basis.
- Established a system of priorities for spending mental health funds.
- Required counties, as a precondition for receiving state funds, to prepare a county Short-Doyle plan. State hospital services are to be included, and no patient is to enter a state hospital unless referred by a county.
- Required the Department of Mental Hygiene to prepare a statewide plan for the orderly and economical development of mental health services.
- Limited the possible increased cost to any county to 1 cent per $100 assessed valuation in any one fiscal year.

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really feasible, because the cost of running the state hospitals does not drop as fast as the patient population. After a certain point, the basic operating costs decline very little, they say, forcing the state to hold on to dollars that otherwise might go to the counties.

During the hearings, state and county officials suggested three ways to remedy this situation: (1) by adopting an allocation system based on the population of each county; (2) by permitting the counties to estimate the number of their residents sent to state hospitals; and (3) by improving communication between the state and the counties at the time when the state budget is being drawn up. The per-capita financing plan was discussed at several subsequent legislative hearings. The counties that had been late to enter the Short-Doyle program argued that per-capita funding would help to assure them their "fair share" of the mental health dollar. However, counties that had entered the program at the start said that such a system would penalize them for having done so. These differences obviously made it very difficult to shift entirely to per-capita financing.

By way of compromise, the Department of Mental Hygiene allocated a portion of the increase in mental health funding for 1971-1972 on a per-capita basis, and gave the counties responsibility for estimating the number of patients that they expect to send to state hospitals each year. In addition, the Legislature acted this year to assure the counties their share of state hospital savings by raising the budget for Short-Doyle programs by $11 million rather than allowing that amount to revert to the state's General Fund.

CSEA Sees a Crisis

Last January, the California State Employees Association released a report entitled *Where Have All the Patients Gone?* in which it charged that the Lanterman-Petris-Short Act and the Short-Doyle program have had tragic consequences for the mentally ill. According to CSEA, the principal result of the new laws has been to take "thousands of mentally ill patients out of state hospitals and scatter them among 58 different counties", allowing "many . . . patients to end up in transient hotels or small board-and-care homes in run-down neighborhoods where they receive no treatment," and permitting the cost of mental health care to "skyrocket."

This last charge is easily refuted, according to Department of Mental Hygiene fiscal experts. They say that in the absence of the community programs the cost of operating, maintaining, and constructing new state facilities would have added as much as $100 million to the 1972-73 health budget. But the charge that community facilities have been inadequate to absorb the shift in patients since 1959 is much more difficult to refute. Neither side has much hard data to offer. Those opposing the new system have uncovered examples of neglect and substandard treatment, but have not demonstrated that such conditions are widespread. Champions of the new system point to examples of outstanding local treatment and facilities, but they, too, are unable to generalize about the level of local care statewide.

One county, however, has run its own study, with some interesting results. The Butte County Mental Health Services recently followed up a 62-patient sample of county residents who were in a state hospital in 1969. The principal finding was that "persons released from the state hospital on or after July 1, 1969, and returned to Butte County have made adequate community adjustment . . . The social, financial, and mental health needs of the individuals are being adequately met by community agencies." This finding, said the county's investigators, "leads us to question whether the individuals actually needed a hospital setting before or after July 1, 1969 . . ."

THE SHIFT FROM STATE TO LOCAL TREATMENT
(In Millions)

Fiscal Year	Short-Doyle	State Hospitals*	Total Direct Services Budget	Short-Doyle as % of Total
1957-1958	$ 786	$ 68,539	$ 69,325	1.1%
1958-1959	1,600	70,217	71,817	2.4%
1959-1960	2,485	76,276	78,761	3.3%
1960-1961	2,845	83,895	86,740	3.4%
1961-1962	3,131	88,040	91,171	3.5%
1962-1963	3,225	94,082	97,307	3.4%
1963-1964	5,450	99,619	105,069	5.4%
1964-1965	11,680**	103,445	115,125	11.3%
1965-1966	14,812	108,650	123,462	13.6%
1966-1967	18,601	116,744	135,344	15.9%
1967-1968	23,901	111,987	135,888	21.4%
1968-1969	27,500***	111,861	139,361	24.6%
1969-1970	53,387****	112,787	166,174	32.1%
1970-1971	72,436	109,929	182,365	39.1%
1971-1972	104,141	107,308	211,449	49.2%

*Budget figures for state hospitals for the mentally ill include a small number of programs for the mentally retarded which are being operated in many of these facilities.

**1964-1965 is the first budget year in which the state shared some Short-Doyle services on a 75%-25% basis.

***In 1968-1969, all local services were shared 75%-25%.

****1969-1970 is the first year in which the state reimbursed local services on a 90%-10% basis.

On July 1st the Department of Mental Hygiene began its own evaluation program. Although it is being tried first on a pilot basis in a limited area, it is expected eventually to provide a measure of community mental health care statewide. If it succeeds, it will be unique not only among mental health programs but among all social services. Traditionally, those who provide social services oppose efforts to measure effectiveness, saying that the types of changes that result, for example, from the treatment of the mentally ill are extremely difficult to isolate and quantify in any useful way. As a consequence, most policy decisions in the past have been made on the basis of the number of patients to be served, costs of care and boarding, and various staffing standards. Very little information has been generated as to the relative merits of one program or form of treatment as compared with another on a cost-effectiveness basis. However, this is precisely the objective of the new evaluation system.

In announcing the start of the first pilot program, Dr. J.M. Stubblebine, Director of the Department of Mental Hygiene, said, "We are confident that [local mental health programs] are generally doing a superior job, but it is necessary to know precisely who is or is not being served so that no one goes uncared for. It is also necessary to know more accurately how much services cost and the extent to which people are benefiting from treatment."

Developing a System

To aid in designing an effective evaluation system, the Department of Mental Hygiene set up eight task forces earlier this year to determine independently how to build such a system. Representatives of these task forces were then brought together to "synthesize" the

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results of their separate efforts. Several task forces recommended "peer review" through the use of professional review panels. A second suggestion was to allow agencies to set their own goals (for example, reduction of depression), then to measure their achievement. A third suggestion was to select a number of basic societal goals (e.g., reduction of dangerous behavior), for which all programs would be responsible. The final product blends all three of these elements in a way which department officials hope will please program administrators, clinicians, and state and local decision-makers alike. A pioneering effort, it will be watched closely by mental health experts across the country.

In addition to the new evaluation system, several other changes will take place over the next few years in response to public anxieties regarding the new system. One of the most important resulted from passage of AB 344 (Braithwaite), which will require board-and-care homes serving the mentally ill to be licensed by the state. Also, efforts are under way at the state and local levels to reduce public resistance to locating community care facilities right in the communities where patients live so that they can lead lives that are as normal as possible. Finally, Dr. Stubblebine has announced that the Department of Mental Hygiene will soon fill all vacant positions in its Community Services Bureau. Though it is unclear at this time just what these persons will do, the department is at least expanding its capacity to supervise patients in the community.

A Major Change

It is evident that California's new system of mental health care has begun to take hold despite opposition from proponents of the old system and from those who have a financial stake in the communities near the old state hospitals. During the next few years community-based treatment is all but certain to become the primary form of caring for mental disorders. Within the next decade the community mental health system will grow to provide a full range of comprehensive services closely integrated with other health, recreation, and welfare programs. The movement that began in the mental health field has now been extended to corrections, employment, and other services in what amounts to a major change in the structure of public services. By the mid 1980's in fact, separate community mental health facilities and programs may cease to exist as mental health services and become part of a total human service system in every community.

NINE INITIATIVES ON NOVEMBER BALLOT

Secretary of State Edmund G. Brown Jr. announced on June 30th that nine initiatives had received enough signatures to qualify for the November ballot. Five of the nine measures propose statutory changes and four propose constitutional amendments. Among the five constitutional amendments is one to restore the death penalty, which may or may not have been invalidated by the US Supreme Court's decision on June 29th rejecting the death penalty in three cases that had come before it. The nine qualified initiatives are:

Property Taxes. The "Watson Initiative" which set a ceiling of $7 per $100 of assessed valuation on property taxes, eliminating property tax support altogether for welfare costs, and providing for certain alternative tax sources. (Constitutional amendment.)

State Salaries. Requires State Personnel Board, UC Regents, and CSUC Board of Trustees to recommend state salary levels to be included in the Governor's Budget each year and provides that the recommendations must be adopted unless rejected by a two-thirds vote of the Legislature. (Constitutional amendment.)

Death Penalty. Declares that the death penalty is not cruel or unusual punishment and restores to full force and effect those California Laws providing for the death penalty which were invalidated by the State Supreme Court in February. (Constitutional amendment.)

Highway Patrol Salaries. Directs the State Personnel Board to recommend salary levels for uniformed highway patrolmen that at least equal those of city and county law enforcement officers, and requires the Governor to include recommended pay scales in his budget. (Constitutional amendment.)

Marijuana. Removes criminal penalties for possession of one ounce or less of marijuana by persons 18 years old and older, and allows licensed cultivation for personal or family consumption. (Statute.)

School Assignment. Provides that "no public school student shall, because of his race, creed, or color be assigned or required to attend a particular school," and repeals law establishing policy of eliminating racial and ethnic imbalance in the schools.

Coastline. Creates Coastal Zone Conservation Commission and six regional commissions to administer land-use laws for the coastline; sets criteria for the preservation, protection, restoration, and enhancement of the coastal environment and ecology, and requires submission to the Legislature of plans to meet them.

Agricultural Labor. Declares unlawful specified types of strikes, picketing, and boycotts by agricultural workers, establishes permissible farm labor practices, and creates Agricultural Labor Relations Board to administer the act. (Statute.)

Obscenity. Defines nudity, obscenity, and related terms, deletes the court test of "redeeming social importance", and limits application of "contemporary standards" to local areas; permits injunction and seizure of obscene materials. (Statute.)

Four proposed constitutional amendments and one statutory change failed to qualify.

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Newspapers Respond, S-l-o-w-l-y, to Growth of State Government and Increased Public Interest

BY BRUCE KEPPEL

The photograph is fading but not yet tinged with yellow: Edmund G. Brown, the Governor, sits behind a desk talking with a dozen or so men, representatives of the capitol press corps. Though the picture dates back barely a decade, it reflects another world, a time before television invaded capitol corridors, when legislative sessions were shorter and legislators had more rhetoric than research to bring to the issues of the day. It suggests an era when the job of "getting it from the horse's mouth" rarely involved more than one horse and it seemed easy to tell which end was talking.

In contrast, when Brown's successor, Ronald Reagan, meets the press today, there is greater distance between Governor and reporter than between Governor and public. Television, with an assist by a Governor particularly attuned to the potential of audiovisual media, has imposed a strict formality on the once very informal press conference. It has also encouraged the Governor to issue an opening statement that can go right past the assembled reporters and into California living rooms as part of the six o'clock news. In short, television as a news medium is a phenomenon whose implications, quite understandably, have been grasped more quickly by politicians and special-interest advocates than by newspaper reporters, who have tended to view the television reporter as something of a lightweight intruder upon their traditional ground.

But television's arrival in the capitol is not the only major change since that photograph was taken of one of Governor Brown's press conferences. California's legislators, meanwhile, have provided themselves with a professional staff and an independent research arm that is the envy of other state legislators. The increased staff and more sophisticated research have multiplied the number of sources available to the press and rendered their information more complex and subtle. The large staff has also created a new layer of bureaucracy that is not averse at times to using its anonymity to personal or partisan advantage. But this resource of relatively young researchers and budding politicians remains beyond the ken of some of the older capitol journalists, who still tend to rely on the one-horse horse's mouth.

With such unprecedented changes in news forms and sources, quite apart from the larger size and scope of California's government itself, one might expect to find equally important changes in the way the state's major newspapers approach capitol coverage. Such, however, is not yet the case, though there is a growing awareness that the old ways are no longer as effective as they once were. Only a few papers have discovered that their inability to compete with television for spot news has given them a new opportunity to present news in depth.

It may be that the forerunners of change have been the correspondents of the smaller or often less ambitious papers that never aspired to maintain more than a one-man operation in Sacramento. Martin Salditch of the *Riverside Press-Enterprise*, for example, has been free for years to pursue his own stories while keeping an eye on his area's legislators. His paper uses Associated Press and United Press International reports for its basic capitol coverage and, according to Salditch, rarely calls on him to duplicate the wire service coverage. Ed Salzman of the *Oakland Tribune* similarly avoids duplicating the Associated Press report his paper subscribes to. (The *Tribune* recently dropped UPI.) This often frees him, he says, to go after the stories that he has uncovered, particularly for use in his paper's Sunday editions.

The principle that guides such one-man stands as these is the same that, on a larger scale, guides the reborn *Los Angeles Times*. The *Times*' present four-man state capitol bureau is twice the size of the bureau the paper maintained up to 1968. (See April's *California Journal* for staffing details of the Capitol Press corps.) The *Times*' Sacramento bureau reports stories carried by the wires "only if we feel we can do a better job," says Bureau Chief Tom Goff. This permits the *Times*' reporters to concentrate on stories of their own un-

Bruce Keppel, who joins California Journal *this issue as senior editor, was formerly Capitol Bureau Chief for* The Sacramento Bee.

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covering. Two recent examples were the extended analyses of no-fault insurance and Proposition 9 which *Times* reporter Robert Fairbanks developed over several weeks, unhampered by a need to cover daily capitol news stories. Goff explains the *Times*' policy this way: "To really cover government today, you've got to deal with the issues. The future of printed news has got to be more and more factual interpretation of the news — and I stress 'factual'."

Not that the *Times*' coverage is without its critics. There is some concern even within the bureau that it may now err on the side of slighting regular coverage of Los Angeles legislators. And it is as guilty as other newspapers and the wire services of neglecting many of the state agencies, although its specialist reporters based in Los Angeles keep an eye on some of them. Nonetheless, the *Times*' change in coverage, once decided upon by management, was carried out boldly and consistently.

McClatchy Policy

Such has not been the case with McClatchy Newspapers, which maintains the capitol's largest newspaper bureau to serve its three *Bees* circulating out of Sacramento, Modesto, and Fresno. The McClatchy bureau is in a unique situation. The fact that its "flagship" publication, *The Sacramento Bee*, is published in the capitol city itself makes it the most readily available newspaper to an influential audience of administration officials, legislators, and their staffs, not to mention the large pool of governmental workers living within the *Bee*'s circulation area. This fact long ago suggested a newspaper-of-record policy to the McClatchy organization, which always has had a strong interest in political news.

At one time the *Bee*'s exhaustive and detailed coverage of the state capitol was an achievement of real merit, but as government expanded, legislative sessions lengthened, and the flow of bills grew, the *Bee*'s coverage became more bewildering than enlightening. Until very recently, the *Bee* was reluctant to use the resources of AP and UPI, although it subscribed to both, prefering, instead, "prestige coverage" by its own writers. The result was to nullify the *Bee*'s manpower advantage over other papers by duplicating the efforts of wire-service reporters, who have not hesitated to treat *The Sacramento Bee* as their own wire service.

The effectiveness of the McClatchy capitol coverage has been a subject of discussion among staff members for several years. It might have continued indefinitely as such except that shrinking news space, a problem which has afflicted many papers in recent years, has now stung the *Bee* as well, and has forced an immediate reappraisal of the existing policy. With space at a premium, the editors have been forced to make harder judgments on what kinds of stories to use each day. As a result of this reappraisal, some new manpower was brought to the capitol bureau for the 1972 session, use of the wire services for secondary stories was approved, and, for the first time, one reporter, John Berthelsen, was detached from day-to-day coverage to go after targets of opportunity, *à la* Fairbanks.

The "beat" structure of the *Bee*'s bureau remains, however. One reporter covers the Assembly, another the Senate, a third the administrative agencies; political editor Richard Rodda takes the top story and watches some constitutional officers; and Lee Fremstad, the bureau chief, fills in the gaps while attempting to orchestrate the whole effort. "We're in some kind of ongoing reassessment," says Fremstad, but the day's top stories still often duplicate wire service material. This means that the paper's own staff of six to eight reporters largely remains tied up writing the same stories as the half-a-dozen reporters working next door for AP and around the corner for UPI.

The notion of the importance of "prestige coverage" — of having a paper's "own" story — is not, however, unique to the *Bee*. The Sacramento bureaus of both major San Francisco papers, the *Chronicle* and the *Examiner*, continue to duplicate the wires to some extent, although reporters for both papers say they are moving away from the practice. Neither paper has yet shown a particular interest in going much beyond the day's running news, however, and both are very selective in their capitol report — the more so with their shrunken news space.

If this represents a period of transition for them, no trend is yet clear. "We tend to pretty much play it by ear," says the *Chronicle's* Jackson Doyle, a veteran of 20 years at the capitol. But in the last year, both papers have hired a second full-time resident correspondent. Coincidentally, perhaps, their political editors, Earl Behrens of the *Chronicle* and Sydney Kossen of the *Examiner*, have been less in evidence in Sacramento than in the past. If this continues beyond the election year, McClatchy's Sacramento-based Richard Rodda will be the last political editor following the Legislature full-time.

Further advanced in this transition, apparently, are the *San Jose Mercury* (morning) and *News* (evening). These two members of the Ridder chain maintain a single one-man bureau staffed by Larry Stammer, who succeeded Lou Cannon, now with the *Washington Post*. The *Mercury-News*' traditional approach — covering local legislators and furnishing "prestige coverage" of the day's big story — is being scrapped because, says Stammer, "it is not as productive as we'd like". Stammer still keeps track of local legislators, if only to send a local quote or vote to be inserted into a wire story that ignored either or both. And, as an innovation, he compiles a weekly tabulation of key votes of assemblymen and senators from his papers' circulation area. He now has time, he says, to dig for otherwise unreported stories that might take several days, even weeks, or research.

The Wires Services

None of this liberty to poke beyond the routine would exist were not the basic coverage provided by AP and UPI deemed adequate by the management of many papers that maintain Sacramento bureaus. Indeed, Fairbanks frankly conceded his professional debt to the wires (where he used to work), saying: "I'm not so sure that the *Times*' management wouldn't say, 'Well, Mr. Fairbanks, maybe you should be doing more of this daily stuff,' if the wires weren't continuing to perform that function."

Both wire services maintain larger staffs in Sacramento than in any other state capitol. Since January, AP's seven reporters have been year-round residents; formerly, two of the seven came to Sacramento only for the legislative session. AP's bureau chief, Bill Stall, considers his staff now to be "generally adequate" in number, while his counterpart at UPI, George Skelton,

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feels "stretched pretty thin". (UPI's bureau is responsible for covering all of Northern California and part of Nevada; AP's responsibility is limited to the Sacramento Valley. And wire service reporters do double duty compared with newspaper correspondents, since they must write for both morning and evening papers.)

The fact that newspapers generally consider wire service coverage to be adequate on daily events is important for reasons surpassing the potential liberation of some newspaper reporters to go after additional stories. What most Californians know about their government, or any news from outside their own communities, comes mainly from the wire reports fed to the state's newspapers, large and small, as well as the state's radio and television stations.

Unfortunately, although wire service coverage is remarkably good, considering the workload, it rarely rises above the routine; moreover, the wire services pay even less attention to state administrative agencies than do the newspaper correspondents, and they employ few specialists and no investigative reporters. Thus, they tend to remain tied closely to the daily news cycle.

Stall says the AP is attempting to break out of the traditional mold by "letting the secondary stuff go." Skelton, too, observes that "we've got to be more selective." Other correspondents, however, occasionally criticize both the services for "over-reporting" (a phenomenon that, according to a recent *Columbia Journalism Review* survey of state government coverage, must be unique to Sacramento). Since the AP and UPI reporters must give first priority to daily coverage, the so-called "enterprise" stories that both wire services and their customers increasingly value can only be covered when time allows. UPI's bureau chief expresses skepticism, however, that the trend by newspapers away from staff coverage of capitol "hard news" is entirely a good thing. "Someone's got to tell the readers what happened," he says. "I'm a little leery about leaving it all to the wires."

AP and UPI remain highly competitive. AP currently enjoys a technological edge, with reporters writing, editing, and transmitting copy directly by cathode-ray-tube typewriters feeding a master regional memory bank that collects the stories and routes them onto the system's various wires. But the notion that speed is of the essence continues to underlie the operations of both bureaus. Although some reporters defend this traditional competition on the ground that the first story received is the one most likely to be used, others question its relevance today. The *Times*' William Endicott, for example, calls it "insane" and outdated, for it certainly limits wire service reporters in doing the sort of digging that provides illumination along with coverage. (Lee Nichols, a former correspondent and now associate professor of communications at Sacramento State University, likens reporters who don't dig for news to "kids who stand outside closed doors and hear the groans but have no idea what love-making is.")

Cooperative Officials

Despite these problems of adaptation, capitol reporters have maintained at least one advantage over newsmen elsewhere. According to McClatchy Broadcasting's capitol correspondent, David Dow, who recently had occasion to compare notes with his Washington-based counterparts, California reporters enjoy unusual access to government officials in covering their assignments. Although he acknowledges that the Senate lags behind the Assembly in its open-door policy, especially regarding television, Dow says that Sacramento reporters believe it to be "unthinkable that we shouldn't have access to everything." But in Washington, the conditioning is toward accepting such devices as the "background briefing," where reporters are told "you can say it, but don't say who told you." It is a practice tried in Sacramento once in recent memory and withdrawn in the face of the correspondents' immediate outcry. Compared with Washington, Dow concludes, California's degree of openness appears as "a notion that is just beginning to dawn" elsewhere.

And the Governor's press conference, changed as it has been by television's presence and a media-alert incumbent, remains a more effective news gathering tool than the White House press conference. In contrast to the random questioning of the President that tends to raise too many points that go unexplained (and which was criticized last month by President Richard Nixon for just that reason), Sacramento reporters stay on a given subject until all questions have been satisfied. Although the California newsmen sometimes seem more intent on phrasing their own questions than in picking up on a question that a rival reporter's line of inquiry might have stimulated, they do follow up in a way unknown to their Washington colleagues.

A Frontier Remains

This relatively accessible government, armed with its professional and well-equipped staffs but also increasingly insulated behind layers of bureaucracy, poses a complex challenge to effective reporting on California's government and politics. But the press is now beginning to define the challenge and, slowly, to adapt its strategies to meeting it.

Virtually overlooked by the current demands to improve legislative and political coverage, however, are the ever-changing governmental agencies, departments, bureaus, boards and commissions concerned with managing physical and social resources and regulating many important areas of human activity. Press coverage of their often technical and yet important deliberations, many capitol correspondents agree, remains tied to the hit-or-miss techniques carried over from that seemingly simpler time when a chat with a governor or an agency chief appeared sufficient to get the essential facts of a story. Thus the state agencies remain as a virtually unexplored news frontier. And it may be that the growing number of specialist reporters — those who deal with legal affairs, labor, science, and public administration — will lead the way.

One conviction the capitol correspondents now share, in any case, is that they are still just skimming the surface.

Off-Road Vehicles Must Now Be Registered

A new law requiring registration of minibikes, dune buggies, trail cycles, and other off-the-road vehicles took effect July 1st, but the State Department of Motor Vehicles granted a 30-day grace period. The fee is $15, and registration is valid for up to two years, ending June 30th in even-numbered years. Subsequent purchasers of the vehicles will have 30 days from the date of first use to register them without penalty.

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Administration, Legislature Examine How Information Officers Report What State Agencies Do

"It's a great story they have to tell."

Terry M. Chambers, assistant secretary of business and transportation and an appointee of Governor Ronald Reagan, was reflecting on the responsibility of state agency information officers to keep the public informed of what state government is doing. The point is, he indicated, the Reagan administration feels that its program accomplishments are insufficiently appreciated by the public.

Another Reagan appointee, James E. Jenkins, the Governor's director of community affairs, expressed the administration's concern to a group of information officers at a conference last spring. "I don't recall exactly what I said," Jenkins stated in an interview last month, "but I know what I meant to say — that this administration doesn't have any problem along the public communication line if everyone . . . in the public-information field does his job well."

Dissatisfaction with the effectiveness of information officers as a group is not unheard of, even among themselves, but Jenkins decided to find out how it could be improved. The result was the most-detailed and highest-level of three studies now being done on agency information officers. Directed by Jenkins, it is being carried out by a four-man staff consisting of Chambers; Terry Egan, whose title is special representative, Department of Water Resources; Clyde Walthall, a governor's staff secretary; and Dwight Geduldig, a top-ranking career information officer named by Reagan on June 22nd to direct the Department of Health Care Services. They describe their study as a "job bank" or "inventory" of talent and resources. "The purpose," Chambers says, "is to find out the talents of fellows we have miscast in their roles and get them in areas they'd be happy in. It's a matter of working with the talents we have."

Another study of state information officers has been started by the Assembly Committee on Efficiency and Cost Control, prompted by a resolution offered by Assemblyman John Vasconcellos of Santa Clara more than a year ago in the wake of the television documentary, "The Selling of the Pentagon". The Vasconcellos resolution called for a study of "the nature and extent of advertising and public relations conducted by the various agencies of the state government, and the amount of public funds being expended for those purposes . . . " Preliminary data that may answer these questions are still being gathered by committee staff.

A third study has been initiated by the State Personnel Board, which is analyzing information officer job descriptions, pay scales, and levels of operation. According to Larry Liberty, the Department of Personnel analyst doing the study, his work is independent of the Jenkins study, though he concedes that the latter's findings could have "an impact" on the SPB's conclusions. If so, they could result in a set back for the campaign being waged by the information officers' professional association, the State Information Officers Council (SIOC), to establish a new management-level civil service rating, Information Officer III. According to Jenkins, such a position is "not in the cards as far as this administration is concerned."

The SIOC campaign stems in part from a concern that too many non-civil service appointees at the assistant-secretary level are directing agency public information programs. Such a situation exists, for example, the SIOC says, in the Human Relations Agency where there is a top-level "assistant to the secretary for communications". SIOC worries that such posts tend to downgrade the present top information officer grade (IO-II). "We hope it's not a trend," said SIOC President Vince E. Vandre, an IO II in the Department of Public Health.

Between the handful of such top-level communications appointees and the so-called "career-exempt" positions filled by civil servants serving at the pleasure of the administration, the Personnel Board reports, about a quarter of the 30 top information jobs are beyond the civil service grade of Information Officer II (see box). This fact may draw the California State Employees Association into the picture, though at the moment it is watching from the sidelines. "We'll scream," says CSEA spokesman Curt Hopkins, "if they try to downgrade an information officer job because he's not doing the kind of job they want and it's because of no money."

Shadow Area

But there is another aspect of the Jenkins study that troubles the information officers, not to mention CSEA. An information officer, as a nonpartisan civil servant working under partisan political appointees heading agencies and departments, must sometimes operate in a shadow area where politics and public information overlap. "It's a very sensitive group," says Vince Vandre, SIOC president. "It interprets the administration to the media." Jenkins said as much in an interview with *San Francisco Chronicle* capitol correspondent Peter Weisser: "What these departmental information officers are doing is telling the story of what state government is doing. Ed Gray [the Governor's press secretary] does a good job of telling the story of what Governor Reagan is doing."

"Where do you draw the line between necessity of

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public support and beating your own drum?" Jenkins asks, acknowledging that there is a shadow area. But he seems to believe it can be avoided. "I constantly stress that improvement of the flow of information is all [information officers] have to do. I am under instructions to keep partisan information out, and I wouldn't want it in anyway. If there's anything partisan about improving the flow of information, I don't know what it is."

The current three-front scrutiny of departmental spokesmen amounts to unprecedented state interest in what information officers are supposed to do, what they actually do, and whether they should be doing it.

Information officers perform a wide variety of duties, ranging from producing news releases, film clips, and other information for the press and publication of brochures, pamphlets and bulletins for dissemination to the public, to developing newsletters and training materials for use within their departments. They also write speeches for top department officers and assist with planning for their public appearances relating to departmental programs.

According to State Personnel Board job descriptions, the two information officer grades in the state civil service, IO-I and IO-II, are differentiated "by the agency's program and by the level of responsibility delegated". The IO-II carries responsibility to "consult with and advise top management of the agency on the public relations implications of the agency's activities . . ." He reports directly to top management, at least theoretically, and is found in agencies whose programs "affect a large and heterogeneous public" and carry a considerable economic, social and political impact.

The present monthly salary range for IO-II is $1,213-$1,475; that of the IO-I, $998-$1,213. SIOC considers these scales too low to attract competent outsiders from communications media into state service. It has recommended a 22.8 percent increase in monthly salaries: $1,489-$1,811 for IO-II; $1,225-$1,489 for IO-1. And it wants an IO-III grade with a proportionately higher salary. "We are convinced these levels must be raised," the organization said in its report to the Personnel Board "if the state intends to attain a competitive position in the recruitment of qualified personnel from either the working press or the field of public relations."

No Evaluation

None of the three studies now underway attempts to evaluate the work of the information officers, but Jenkins says he has interviewed a number of news reporters about the adequacy of the information they get on government and concludes that "I don't think the members of the press are happy about it." The statements of a number of capitol correspondents generally confirm Jenkins' impression. The consensus among the press corps is that there are "a handful" of first-rate information officers, as far as the working press is concerned, and that the others either get in the way or are routinely bypassed. The successful information officer levels with the press, say the reporters, and is as free with information when the department is under fire as when it is receiving credit. (Philip D. Guthrie, IO-II in the Department of Corrections, which has drawn heavy press interest in recent months, is cited most frequently as the sort of information officer correspondents fell that they can rely on.) George Skelton, capitol bureau chief for United Press International, says that, at times, reporters have little choice but to rely on information officers. "We have to rely on [IOs]," he says, "to cover us on hearings and meetings that we can't get to." In such cases, the IO who doesn't know what's going on of particular public concern earns a reputation that can be hard to shake. The same thing can happen when a reporter feels that an IO is keeping something or someone from him, in effect protecting a public department from public scrutiny at taxpayer expense. So the real test for an IO is not likely to be in his performance on routine stories, such as contract-lettings, but on controversial issues, such as in the recent controversy over whether the Division of Highways deliberately toned down a report on the safety of triple-trailers on the state's freeways or merely, as Department of Public Works IO Robert E. Nance maintains, corrected its errors and tightened and qualified its conclusions in a preliminary draft.

WHO DOES AGENCY INFORMATION WORK[1]

Classification	Number
Editorial technician	4
Ass't Information officer	11
Information officer — I	31
Information officer — II	9
Miscellaneous[2]	25

1 Excludes state college and university.
2 Includes exempt, career-exempt, and other classifications with a specific public information function, about 7 of which are beyond IO-II.

Source: State Personnel Board

The more free-ranging reporters, as opposed to those limited to covering daily or breaking news (who are more likely to depend on IO's) are apt to downgrade their importance. Tom Goff, the *Los Angeles Times'* capitol bureau chief, says that although he values IO assistance in keeping him posted and supplying routine statistics and similar information, when "something is brewing, we deal directly with the top, either in the administration or the agency head." Other experienced reporters agree that the most effective correspondents develop their own sources of information.

Talking privately, IO's confirm the press corps' evaluation that the good information officer is a rare creature and Jenkins' belief that some programs need overhaul. The Jenkins study has already revealed that "we've got just one person trying to report on consumer affairs to 20 million Californians." (CSEA amends the revelation by citing a lack of Administration funding for a more ambitious information program in the newly reorganized Department of Consumer Affairs.) Another early conclusion is that free public-service broadcast time is not being fully used, Jenkins said, and he offered the governor's face and voice to put out the word on new public programs. Among the first takers, SIOC's Vince Vandre noted, was the "just one person" in the Department of Consumer Affairs, Dorothy Walt. Reagan recorded two spot announcements she drafted last month, calling attention to the department's consumer publications.

So while some IO's are feeling the pressure of being watched, others intend to capitalize on all the attention being paid to their work. "One IO I know," said CSEA's Hopkins, "is going to benefit from the interest to push for more program . . ."

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Truth in Packaging . . . Consumer Affairs

The Department of Professional and Vocational Standards has a new name and a new organizational chart. What else, if anything, is new?

" . . . The policy of this administration is that government does have a proper, indeed vital, role in looking out for the consumer interests of private citizens, so long as this does not interfere with, or impair, the legitimate, balanced workings of our competitive free-enterprise system."

Governor Ronald Reagan, however cautiously, thus put his administration on record in support of "consumer interests" in a 1970 message to the Legislature. He followed his words with a reorganization plan that transformed the old Department of Professional and Vocational Standards, created in 1929, into the Department of Consumer Affairs. The Legislature responded with the Consumer Affairs Act, which went into effect last July 1 and formally added "consumerism" to the old department's traditional concern for "regulating" certain businesses and professions.

The new department was heralded as the first of its type in the nation. The act increased the number of public members on the state's 33 boards, bureaus, and commissions that enforce professional and vocational standards and exercise limited regulatory powers, and grouped these bodies under four headings: Healing Arts, Fiduciary, Design and Construction, and Business and Sanitation (see chart). In several cases, the act replaced one board member representing the regulated business or profession with a public member appointed by the governor. It did not, however, disturb their semi-autonomous status, nor weaken their control over their fee-generating funds.

Criticism Continues

These modest changes have done little to satisfy consumer groups and others, including the Legislative Analyst, who believe the boards to be dominated by the very firms and persons they license. The question also remains as to why one business, dry cleaning, say, is licensed, while another, shoe repair, for example, is not. The answer, of course, is that each board was created in response to a different need, and often at the urging of the business firms and professional groups involved who had a basic interest in limiting entry into their business or profession.

Consumer critics charge that the present Department of Consumer Affairs is little more than old goods packaged under a new label. Indeed, they point out, the newest item in the package is actually a carryover from the old department: the present Division of Consumer Services was first set up within the old department in 1969 as the Division of Consumer Affairs; only its name has been changed to avoid confusion with that of the department.

John T. Kehoe, who took over as the new director on June 1st, views the department's primary role as one of providing leadership in solving consumer problems. Noting the number of private consumer groups that have appeared in recent years to join such business-organized bodies as the Better Business Bureau and public agencies like the three-months-old Los Angeles City Bureau of Consumer Affairs, Kehoe observes: "We have to provide leadership to make sure these groups aren't stumbling over themselves." This may be, but a quiet, behind-the-scenes operation is not likely to please consumer groups, who want the department to become an aggressive consumer advocate. The real test of the department's ability and intentions, however, will come only as its record is established. While outgoing Director Donald G. Livingston earned praise from outsiders for energetic administration, his appointment to the governor's staff after no more than eight months in office is bound to slow the shakedown process his successor believes the department is still undergoing.

Ironically, the new director's only previous experience in the consumer field (except, as he points out, as a consumer) was to lead the Reagan administration's unsuccessful attempt to abolish the Board of Dry Cleaners. The trade association, Kehoe recalls, rose up wrathfully and, as he put it, "dumped on us in the Assembly". So the dry cleaners still have their board, and it now operates under Kehoe, who accepts the situation with a shrug. "In this 'Confederate States of America' he says, (referring to the loose collection of boards and commissions under him), "we don't want any secessions". Nonetheless, Kehoe apparently has not yet given up the idea of reorganizing these units. "I would entertain a new organization plan some time in the future," he says, "that would mobilize public resources a little differently." Asked what he has in mind, Kehoe suggests that the dozen or so boards and bureaus grouped under "Healing Arts" might be administered more effectively by a single board with a number of advisory commissions.

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As he settles into his second month in office, Kehoe is watching closely the beginning of a new agency, the Bureau of Automotive Repair, which was created under legislation by Senator Anthony Beilenson of Los Angeles County, (see box), and begin operation July 1st. Kehoe, who would like to see a broad-range "consumer hotline" set up eventually, says that one to receive automotive repair complaints is to open July 28th.

Fundamentally, though, he agrees with Governor Reagan's view of government, which he describes in the Jeffersonian phrase as "that government is best that governs least". Consequently, Kehoe views consumer education, rather than consumer advocacy, as his department's major field of operation, and stresses maximum use of private resources wherever possible. While he favors beginning consumer education as early as kindergarten, he says the state should not require local school districts to provide it without giving them the means to do so. Educational films, to be shown in the schools and on public television, could aim at specific "classic" areas of consumer fraud and deception, he points out, but even these he would prefer to produce independently rather than by an enlarged public information program within the department. "I don't want to see Consumer Affairs mushroom into a big bureaucracy," he explains.

Typical of his approach, he says, is a meeting he held with officers of the California Pharmaceutical Association June 23rd after their massive lobbying efforts bore fruit in the Assembly's defeat of legislation to require druggists to post prices of prescription drugs to allow comparison shopping, legislation the department supported. "The consumer has the right to shop for drugs," Kehoe told the pharmacists, advising them to correct their consumer problems before government has to do it for them. "I urged them to come into the 20th century in this area," he says.

The New Department

Under last year's reorganization implemented by Livingston and inherited by Kehoe, the Department of Consumer Affairs was divided into two parts: Operations, which includes the Divisions of Administration, Investigation, and Consumer Services; and Coordination, which includes the old boards and bureaus, plus a public relations office so far represented by a single information officer working under the direction of Chief Deputy Director Frank Reynolds, who is also responsible for coordinating board and bureau operations.

AUTO REPAIRS BECOME REGULATED

The newest state regulatory bureau began operation July 1st to license automotive repair shops. Created under legislation authored by Senator Anthony Beilenson, the Bureau of Automotive Repair set up shop at 2815 "O" Street, Sacramento, with Bob Alexander as chief.

All business establishments engaged in repairing, maintaining, or diagnosing malfunctions of passenger vehicles, including motorcycles, must now be registered with the new bureau. This certificate must be posted in the shop.

Failure to comply is a misdemeanor punishable by a fine up to $1,000 or imprisonment up to six months, or both.

Director Kehoe and his predecessor, Donald Livingston

What role to play for the consumer?

The six licensing bureaus are thus more directly under the director's control now, though the bureau chiefs, selected by the governor rather than the director, remain as their principal policy-makers. The part-time boards themselves continue to select their own civil service-exempt executive secretaries.

Both the boards and the bureaus are financed by the special license fees they collect, but give up eight percent to support Kehoe's departmental staff, administrative, investigative, public relations and consumer services. This fund structure has come under increasing criticism. A legislative attempt to merge the funds into the state's General Fund was opposed by the department and defeated this session, but there is considerable support for a recommendation by Legislative Analyst A. Alan Post that all fee income be deposited in a single consumer affairs fund within the department. Such a plan would satisfy the concern that department-generated revenues might otherwise be dissipated throughout government rather than concentrated in consumer affairs, but it would not necessarily eliminate the proprietary feelings individual board and bureau chiefs often have toward the fees they collect. Kehoe thinks the solution is for the department to convince the boards that a larger percentage of their funds should be contributed to support increased departmental activities by pointing out benefits to them.

The three-year-old Division of Consumer Services is responsible for the department's principal consumer protection activities. It processes complaints and requests for information, compiles consumer statistics for the department and other state agencies, and does some consumer research. (Recently it has been an important source of information for the Governor's staff on the question of no-fault automobile insurance — a concept that Kehoe favors and for which he has lobbied vigorously but apparently unsuccessfully in the Legislature.)

Kehoe explains the division's complaint procedure by saying that the first step is to assure that the complainant tried to seek redress with the firm or person involved. "Only after that," he says, "do we enter into a period of conciliation."

Ray Reid, the Consumer Services chief, says he can only write to a company or agency in seeking reconcil-

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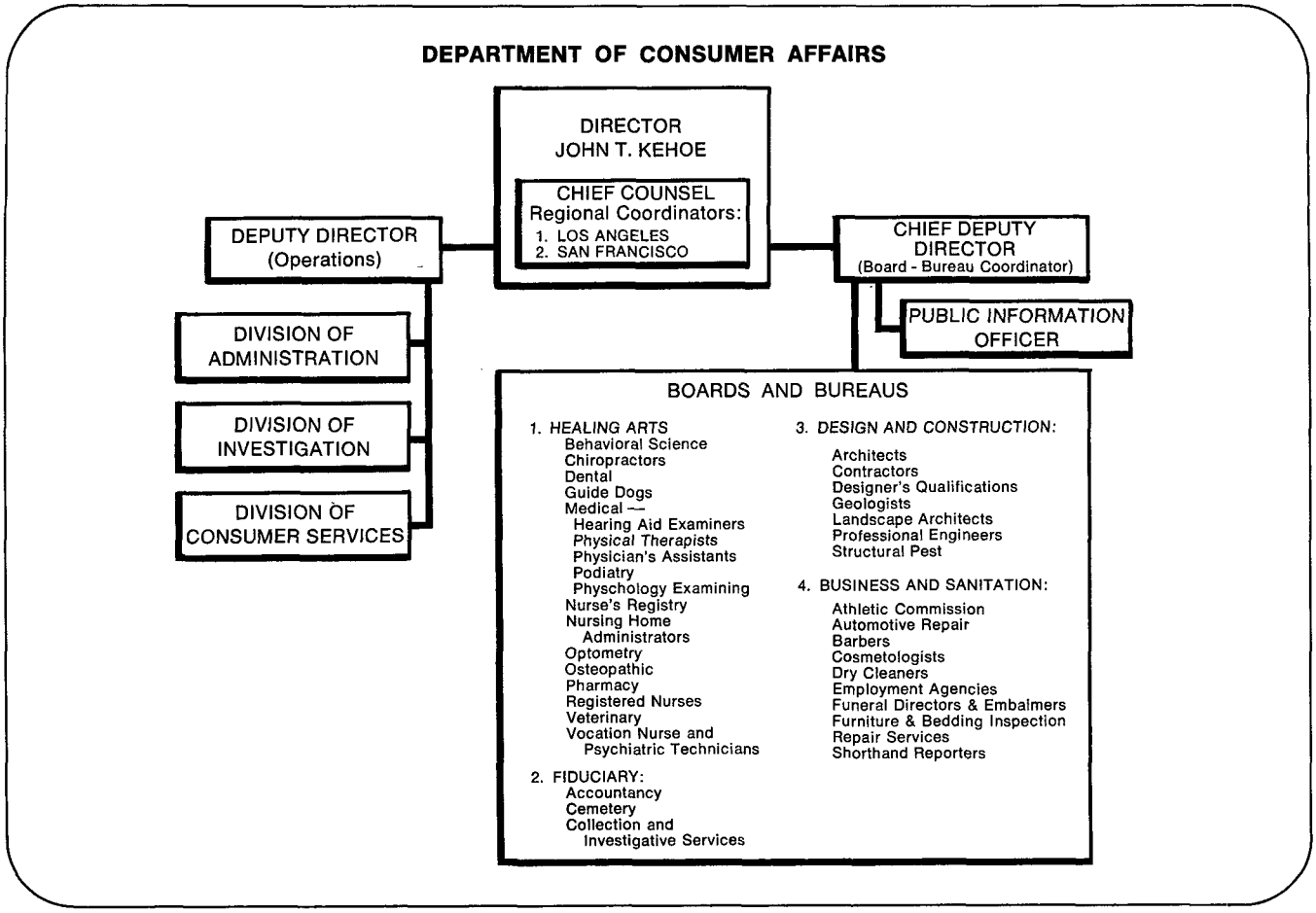

iation. The division does not yet have authority to use the department's Division of Investigation. If a state agency is involved, the complainant is directed to the correct office. If possible illegalities are involved, the division will notify the postal inspector or attorney general.

This rather low-profile approach is not what some private consumer groups think is needed. It is not the style, they say, of a consumer advocate, but that of a referee or referral agent. What is lacking, they believe, is the willingness to take the complainant's part and redress the balance between the individual consumer and the more powerful private firm or state agency.

The act iself, authored by Assemblyman James A. Hayes of Los Angeles County, declares the Legislature's intention "to promote and protect the interests of the people as consumers," and lists four methods: consumer education, consumer protection, encouragement of competition, and promotion of consumer interests in all branches and levels of government. James Reed, advocate for the California Federation of Consumers, thinks that the department is having its greatest success in the area of consumer education. It has compiled a list of consumer materials available from government and private sources, published a popular consumer guide to small claims court, compiled a listing of consumer protection agencies within the state's various metropolitan areas, and publishes a monthly consumers' newsletter and periodical consumers' bulletins.

Fight Against Fraud

The Consumer Affairs Act also directs the department to protect consumers from those who would sell goods and services through deceptive methods, acts, or practices "inimical to the general welfare of consumers." The department's principal activity in carrying out this directive has been the holding of hearings to publicize practices that have stirred the largest number of complaints. In the past year, for example, Livingston and his aides presided over hearings on mobile home sales, weights and measures, income tax services, prescription drug prices and master television antenna sales. Livingston's successor, John Kehoe, participated in hearings last month in Los Angeles on fraudulent talent agency schemes. Hearings such as these are intended not only to spotlight fraudulent practices but to suggest new legislation, such as the bill to require the posting of drug prices, which was defeated this session by the California Pharmaceutical Association.

In addition, the Governor has appointed a Consumer Fraud Task Force, which has been at work for about a year and is expected to present its findings to Reagan next month. Kehoe plans to give the task force findings a further airing before his department's Consumer Advisory Council, mostly, he says, to stimulate consumer education in the fraudulent practices uncovered.

Department accomplishments in the area of fostering competition are harder to pin down. According to the California Federation of Consumers, the department has done little to carry out the provisions of the Consumer Affairs Act that direct it to help enable consumers to determine quality and price differences.

The department has also disappointed those who hoped to see it develop an aggressive lobbying program on behalf of consumer legislation. Consumer Services

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Chief Ray Reid says that it is the department's policy to propose changes in the laws "only when we can't prevent the problems in other ways." Before stepping down as director last month, however, Livingston conceded that the department had only made a beginning in its legislative activity while concentrating on other responsibilities. Nevertheless, the department has backed 30 bills this session and opposed 15 others. And it may be that Kehoe, who previously served as the Governor's legal secretary and counts his knowledge of the legislative process as a principal strength, will step up departmental lobbying activity next session. (Ironically, Kehoe's first appearance before a legislative committee in his new job found him testifying in support of a no-fault auto insurance bill opposed not only by such groups as the California Trial Lawyers Association, but by the Consumer Federation of California, as well.)

Getting It Together

The Consumer Affairs Department also has responsibility for coordinating the consumer services of other state agencies. To do this it has set up an Interdepartmental Consumer Affairs Committee, which includes representatives from 14 other departments. This committee meets periodically to standardize governmental procedures in such things as the handling of complaints. The department is now conducting complaint-handling training for members of its staff who deal with the public, including those on the regulatory bureaus and boards.

Consumer groups say there is much to be done in this regard. Jerry Scribner, a member of the Consumer Federation board, says, "Almost uniformly, our governmental consumer protection agencies are so ineffective that people stop complaining after the first time."

The department must also find a way to deal with local consumer affairs offices, which are beginning to appear in the largest cities, in addition to growing numbers of consumer fraud units within district attorney offices. For example, Los Angeles opened a new Bureau of Consumer Affairs April 3rd and logged nearly 15,000 consumer complaints and inquiries in its first three months. These, according to General Manager Fern Jellison, produced 3,300 formal complaints, about half of which were resolved. San Francisco's Board of Supervisors is considering the establishment of a similar bureau.

Legislative Scrutiny

Because of political and popular interest in consumerism — not to mention the fact that a Republican administration set up the Department of Consumer Affairs — the department has come under almost continuous scrutiny from the Democrat-dominated Legislature, scrutiny an exasperated Livingston at one point called "legislative harassment". To date, two Assembly committees have studied the new department.

Last summer, the Assembly Ways and Means Committee polled complainants and licensees on the responsiveness of six of the department's agencies. The committee's report, published in March, states that only 20 to 45 percent of the complainants received satisfaction. According to the report, "The Bureau of Repair Services [which is charged with regulating repair of such consumer items as television sets and appliances] had a 45 percent satisfaction record; the Contractors' State License Board, 41 percent; Collection and Investigative Services, 37.5 percent; Pharmacy Board, 35 percent; Medical Board, 21 percent; and Dental Board, 8 percent." By contrast, it found, licensees expressed satisfaction in 60 to 90 percent of the cases. The new Division of Consumer Services, however, received high marks as "an active and apparently effective consumer complaint office," though "grossly understaffed and underfunded."

The Assembly report went on to say that the director wields "minimal control" over its semi-autonomous and self-financing bureaus and boards. "At present," it noted, "industry-dominated boards control licensing and enforcement activities. While industry representatives should continue to advise on technical matters such as exams, rules and regulations, enforcement of the law should not be the responsibility of a semi-autonomous board, but of the director."

The committee report recommended that the director's hand be strengthened by converting the boards, except those dealing with the healing arts, into advisory bodies. It also urged increasing public membership to at least one-third on all boards, a recommendation with which Kehoe agrees. The Assembly investigators would go even further, however, and make public representation a majority on boards "whose licensees deal with the public", those in the healing arts excepted.

The committee's report concluded that the department "has not yet become a cohesive, effective consumer protection agency as envisioned by authors of the Consumer Affairs Act. It is primarily a conglomeration of autonomous or semi-autonomous licensing boards." How Kehoe will try, if he does, to place these bodies more firmly under his direction remains, or course, to be seen. He feels that he has adequate authority to do so. And his tentative suggestion to consolidate related boards would simplify the Byzantine structure, which often baffles outsiders, while strengthening his control.

Kehoe also plans to find ways to draw the outside consumer groups — the department's most vocal critics — into departmental planning, saying: "We have a critical leadership role in providing lines between private consumer groups and business." But if outsiders and analysts such as A. Alan Post are right, much more work must be done as well to establish two-way communications and one-way authority within the department itself.

Stability at the top, where Kehoe now sits, would be a start. But until the former regulatory and standard-setting bodies are fashioned into responsive consumer watchdogs working hand-in-hand with the Consumer Services Division, the goods in the newly designed package won't fully match the label outside.

Trans-Sierra Highway Plan Scrapped

A planned $2.3 million highway to replace a 2.7-mile stretch of unpaved road leading from Minaret Summit to Devil's Postpile National Monument in Inyo County has been dropped by the US Forest Service. Governor Ronald Reagan toured the area on horseback June 29th, after announcing the federal decision, which was relayed to him from Washington by U.S. Budget Director Caspar Weinberger.

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Water Project – the First Statewide Walkout by State Workers – Was Short But Significant

BY RONALD BLUBAUGH

Perhaps the most critical moment in any strike is when the final decision is made to go out. It is a time for cool, analytical thought and discipline, a time to weigh risks against goals. Most of all, it is a time for restraint, for too much passion at the outset may lead to catastrophe later. So it is a time for the union leader to be solidly in control of his workers, some of whom approach a strike with the eagerness of students released for summer vacation.

Yet the man who led the State of California's first statewide strike by its own employees was not even present when, on May 26, 1972, the decision to strike was made. In fact, when Walter W. Taylor, acting general manager of the California State Employees' Association, learned from a messenger that State Water Project workers were going off their jobs within the hour, he was engaged in last-minute negotiations to avert the strike. At that point, some lesser union leaders might have been ready to resign. But Taylor took the lead, played the strike for all he could, and then sent the workers back to their jobs four days later, proclaiming a great victory for CSEA.

By about any outsider's measurement, however, the walkout was hardly a victory for the 500 strikers who so cheerfully left their jobs at 3 p.m. May 22nd:

- The strikers failed to close the 680-mile-long water system.
- Despite their demand for pay hikes of up to 26 percent they went back to work with the prospect of the same 12.5 percent boost that they appeared likely to get before they walked out.
- They returned to their jobs without testing the state's five-day automatic dismissal clause.
- They got little public support from their fellow CSEA members, some of whom calmly walked through the picket lines around the Resources Building in Sacramento every morning of the strike.

Birth of a Union?

Any well-established union that proclaims victory in the face of such evidence must be either about to disband or ready for a change in leadership. But CSEA is not a well-established union. Indeed, it is not a union at all, but an employee association. That is why the strike is important, not so much for what it won for the employees but for the fact that it happened at all. Unless Taylor is thrown out of office when his permanent appointment is considered by CSEA directors July 8th and 9th, the water strike may have marked the death of an association and the birth of a union.

If so, the transformation has been gradual. For nearly 30 years following establishment of the civil service system in the 1930's, state employees enjoyed a pretty good lot. The state soon adopted the policy of matching its pay with that of private industry and other public agencies for comparable jobs. In fact, the Legislature wrote into the law a specific requirement that the state take prevailing rates for comparable employment into account in setting civil service pay scales, and the State Personnel Board, which is responsible for recommending state salary increases, accepted the prevailing rate concept as its basic guide.

"As long as they got the prevailing rates, state employees were quiet, fat and happy," says Taylor. "Even in the early 1960's, when there were fights with the administration, they were in-the-family fights. They were not of principle, but of details. We really didn't have the kind of grievances that make a labor union. Quite frankly, we rode on the backs of organized labor for those years. Those guys fought, and we were there getting the benefits under the prevailing-rate statute."

Belt-Tightening

But as the state's budget began to outgrow its revenues in the mid-1960's, the prevailing rate concept and the recommendations of the Personnel Board were given less and less attention by the Governor and Legislature. The change in policy became most noticeable following the election of Governor Reagan in 1966. Faced with a growing fiscal crisis, Reagan insisted that all state government costs be held down, including civil service salaries, and for the last two years he has openly rejected Personnel Board recommendations for salary increases. In 1971 he refused to budget any funds for a general salary increase and vetoed a legislative attempt to give state workers a five percent raise, although the Personnel Board recommended a salary increase appropriation of $113 million, more than enough for such a raise. This year Reagan has stuck with a five percent civil service salary increase (plus "equity" adjustments), vetoing a seven and one-half percent increase voted by the Legislature, despite the Personnel Board's recommendation that $134 million be spent, enough to provide for a 10 percent increase.

Last year the Governor repeatedly acknowledged that state workers deserved a raise but said he was forced to call upon them to forego additional pay because of the state's general financial squeeze. Many state employees concluded, however, that the Governor's calls for belt-tightening might go on for years, and

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WATER STRIKE CHRONOLOGY

Oct. 13, 1969 — CSEA members vote at their annual convention to remove the no-strike clause from the association's constitution.

Oct. 11, 1971 — Leroy Pemberton is elected president of CSEA.

Jan. 7, 1972 — Loren V. Smith resigns as general manager; Walter W. Taylor is appointed acting general manager.

April 13, 1972 — Faced with a growing strike threat by the Water Project employees, Gov. Ronald Reagan promises "inequity" pay hikes.

April 26, 1972 — Water Project employees vote 458-67 to strike unless their demands are met.

May 22, 1972 — Personnel Board staff recommends 12.5 percent pay boost; meeting between the board and the employees blows up; workers leave their jobs.

May 26, 1972 — Workers go back on their jobs; CSEA proclaims "victory".

July 8-9, 1972 — CSEA directors meet to decide whether Taylor becomes permanent general manager — a tacit judgment on the new militancy.

these employees became increasingly restive.

This put CSEA itself in a serious squeeze, and a major split developed among the 112,000 members about the purpose of their organization. Traditionalists continued to look on the association as a friendly organization that offered good insurance policies, low rates for foreign travel, and some beneficial lobbying in the Legislature. Others, however, sensed the need for a new, more militant role in which the CSEA would press for collective bargaining with the state — and call a strike, if necessary, to show that it meant business. Labor union incursions into traditional CSEA territory encouraged this militant view, and union organizers began to make significant headway. The Teamsters gained 1,100 new members from among the state prison guards, and the Union of State Employees, AFL-CIO, grew to 2,800 members. Today, there are about 5,500 union members in state service.

Eventually, CSEA officers and staff members who were sensitive to unionization and the increasing militancy of state workers forced a reorganization of the huge association's basic structure. Effective collective bargaining, they said, demanded that CSEA group its members by occupation rather than geography. At their insistence, "occupational councils" were formed within CSEA. These groups, similar to labor unions, can bargain individually with the state, while remaining under the protective mantle of the association. After winning this change, the militant faction next moved, at the CSEA's annual convention in 1969, to remove the no-strike clause from the association's constitution. And again they were successful.

Traditionalists Hang On

But the traditionalists in the association were not yet ready to let go; they maintained control of CSEA leadership and muffled militant talk. That worked until last year's annual convention in Fresno, when Leroy Pemberton, an administrator at San Diego State University, was nominated for the presidency from the convention floor. Pemberton, who agreed to run for the job after deciding that no other candidate offered the degree of militancy he believed necessary, won the election, defeating the past president, vice-president and secretary-treasurer, all of whom had also sought the presidency. At this same convention, the members of CSEA's General Council agreed to levy a special one-year assessment of $1.75 per member per month to finance a full-scale salary increase campaign.

Pemberton's election led within five months to the resignation of Loren V. Smith as CSEA manager. Although the reason given for Smith's resignation was disagreement over the wording of the pay initiative that CSEA has subsequently succeeded in placing on this November's ballot, the underlying reason was that Pemberton and Smith had basic disagreements about the association's role. Smith's conservative — that is, traditional — approach did not sit well with the militant new president and a majority of the other new officers.

Smith was replaced by Walter Taylor, a CSEA personnel analyst and attorney for 15 years, who was eager to help guide the association on its new course. Shortly after taking office, Taylor threw the support of the association's leadership behind State Water Project employees who had become increasingly restive about what they considered to be grossly inadequate pay scales. It was clear from this action that Taylor and Pemberton intended to test the CSEA's bargaining strength and its ability, if it came to that, to employ the strike sanction to win pay raises.

With the support of the association's leadership, the Water Project workers, many of whom had experience with collective bargaining in private industry, voted 548-67 on May 26th to go out on strike if necessary to get the 21-26 percent pay raises they wanted. In this alone they accomplished a major objective, for by demonstrating their solidarity — which is, after all, the principal ingredient of unionism — they also demonstrated their ability to function as a union.

The Talks Start

Despite its insistence that it could not legally bargain with CSEA, representatives of the Reagan Administration soon began to meet with the workers' representatives, and some minor grievances were resolved. Then, in a speech on April 13th, the Governor himself entered the negotiations by promising special pay raises to workers having special "inequities" and saying that Department of Water Resources workers were "one of the very groups I was talking about." That kind of special recognition might have sufficed several years ago, but the Water Project employees wanted more: they wanted specifics.

The specifics came on the day of the strike. The Personnel Board staff — obviously tuned into the crisis — released a list of proposed pay increases for a variety of state jobs that had been classified as seriously underpaid. In the top category and recommended for a 12.5 percent pay boost were Water Resources employees.

At about this point, however, the inexperience on both sides began to show. Taylor took several of the workers' leaders with him to a private meeting with the Personnel Board to discuss the proposed raise, but the board members insisted that they would have to

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hold public hearings before commiting the board to a 12.5 percent pay boost. This incensed the workers, and they left the meeting in an angry mood. Taylor then went to the office of J. Earl Coke, secretary of the Agriculture and Services Agency, to get him to ask the Governor to prod the Personnel Board into a more positive position. But before Taylor could complete his negotiations with Coke, the strike steering committee called the walkout.

Later it appeared that Taylor might have been able to avoid the walkout had he been able to finish his negotiations with Coke. Several days after the walkout began, Taylor found appropriate face-saving remarks by the Governor and Personnel Board in several press releases, and it was on the basis of these remarks that he counseled the strikers to return to work. Following a middle-of-the-night meeting with Water Resources Director William Gianelli, Taylor was able to assure the workers that there would be no reprisal against them for the walkout, and they went back to their jobs on May 26th.

Thus Taylor avoided breaking the five-day deadline which the Reagan administration had set for ending the strike. When the walkout began, Reagan said that under state law anybody who failed to report to work after five days' unexcused absence would be considered to have resigned. Taylor thought it best not to fight that rule in this strike. "If I had gone for broke," he reflected later, "some people might have been fired, and maybe we would have lost it all. It was a question of generalship." And so the workers went back to their jobs after four days, leaving untested that last major barrier to collective bargaining for state workers.

The Battlefield Shifts

With this first strike action behind it, CSEA will campaign to win voter approval in November of its state salary initiative. Under the terms of the proposed constitutional amendment, the Personnel Board's salary recommendations will automatically be a part of the annual state budget, the Governor will be denied the power to veto salary increase funds, and collective bargaining machinery will be set up for the settlement of state employment disputes. The association had little difficulty this past spring in obtaining a sufficient number of signatures to place the measure on the November ballot, and although some opposition is expected from competing labor unions, Taylor thinks it has a good chance of victory. Even if the initiative loses, however, Taylor and CSEA's officers plan to continue their annual assault on the Legislature to gain authorization for collective bargaining for state employees.

A strike is attendant at the birth and the death of most labor unions. The sounds echoing through CSEA headquarters this summer of '72, however, resemble more the lusty cries of youth than a death rattle. If Taylor wins permanent appointment as general manager this month, there should be no remaining doubts that the CSEA is on the way to becoming an aggressive employee union that will be a major force in subsequent civil service salary battles.

Lancaster Gets Committee Jobs

The Assembly's newest member, William Lancaster, who won his seat June 6th in a special election in the 49th District, was appointed June 21 to the following Assembly standing committees: Employment and Public Employees, Labor Relations, Local Government, and Welfare.

LETTER FROM WASHINGTON

Sour Grapes In The Superbowl

June 28, 1972

The last sad chapter of the Hubert Humphrey saga was not the California primary after all. Instead, it unfolded in a series of Washington hotel ballrooms where the Humphrey forces attempted to set aside California's winner-take-all-primary achieved tactical success and moral turmoil. Despite its political possibilities, the attempt to change the ground rules after the game was over with a challenge to the winner-take-all primary was particularly ill-suited to Humphrey, whose fundamental fairness has always been his long suit. The prior agreement of Humphrey representatives to accept the winner-take-all stake and Humphrey's own hyperbole about the California primary (he called it, among other things, "the superbowl" and the "alpha and omega" of primaries) combined to underscore the hypocrisy of an action that Humphrey, in his heart, must have known was not right. The California challenge can perhaps be forgiven Humphrey because it was his last slim chance to become President. But the challenge has reduced the moral impact of the positions he will take on defense and welfare issues at the convention and obscured his warning before the Democratic Platform Committee on the eve of the California challenge:

"If the Democratic Party falls into the hands of any narrow ideological elite, if it focuses its concern on matters of interest to only a handful of the privileged . . . then the long and scrupulously planned emerging Republican majority may well be upon us."

These are the words of a man who takes his party seriously. The California challenge represented, therefore, the last desperate manuever of a candidate who will do almost anything to be President.

Sen. John V. Tunney, who looks younger, is 38 now, and his staff celebrated with a wine-and-cheese party and a red-white-and-blue birthday cake. Among the guests was prankster Dick Tuck, still doing business at the same old stand and advertising in advance his "Free Martha Mitchell" buttons. Also on hand was Peter Goldschmidt, the University of California lobbyist, who praised Tunney for increasing the medical school construction budget by $40 million, a significant chunk of which is expected to survive a House-Senate conference committee.

Rep. Jerome Waldie of Antioch, the capable Democratic congressman and former Assembly majority leader, has hired an assistant to help launch his campaign for governor in Southern California, where he is not well-known. She is Janet Farley, formerly of Tunney's Washington staff . . . Senators Alan Cranston and Tunney put the blame where it belonged in criticizing Congress and the Department of the Interior, and *not* President Nixon, for bottling up the bills creating a Santa Barbara Channel oil sanctuary. They could have been more specific and blamed the oil companies, which have always received extravagantly considerate treatment in both houses of Congress.

LOU CANNON

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Recent Supreme Court Decisions

Rate Increase Rejected

On June 9th, the California Supreme Court ordered the Pacific Telephone and Telegraph Company to refund to its customers $144.4 million that the firm had collected through rate increases put into effect on July 9, 1971, and last May 27. The Public Utilities Commission, which had approved the rate increases as necessary to enable the company to earn a 7.85 percent profit, had failed to establish that the increases were needed to do so, the court found. "To the contrary," said the court, "there is a strong indication that the entire rate increase is due to changes in accounting principles and accounting evaluations made by the commission."

The decision, which was unanimous except for a single dissent on one element, dealt with three consolidated suits covering a wide range of questions. The suits had been brought by Consumers Arise Now, an organization led by former PUC commissioner William Bennett, who is now a member of the State Board of Equalization, and by the City of San Francisco, the City of Los Angeles, and the California Public Interest Law Center.

The decision, written by Justice Raymond L. Peters, declared that the PUC had erred in these principal respects:

- By permitting Pacific Telephone to compute federal and state tax expense in a manner that the Supreme Court had disapproved in 1971.
- By treating the cost of equipment purchased from a subsidiary (Western Electric) as if the equipment had been purchased from an independent firm.
- By allowing a 52 percent increase in rates for minimum "lifeline" service without sufficient justification.

The court did, however, uphold the PUC's decision to allow Pacific Telephone a 7.85 percent rate of return, and also agreed to a partial allowance of Pacific Telephone's advertising costs on the basis that, in some part, advertising contributes to lower total costs and more efficient service. Justice Stanley Mosk dissented on this point, saying that no advertising costs should be allowed in determining telephone rates.

Pacific Telephone was ordered to make the refund as soon as possible and return to the rates put into effect in 1968. However, the court authorized the PUC to grant Pacific Telephone "interim" rate increases "should it find them appropriate". On June 17th the telephone company, which had earlier described the court's decision as "confiscatory", announced that it had asked the PUC to grant an "interim" increase of $198.2 million to be effective by July 9th. The new application excludes costs disallowed for rate purposes by the court.

CALIFORNIA CALENDAR

Meetings of the following state boards and commissions are listed each month; if one of these boards is not listed, it can be assumed that it is not scheduled to meet this month. Boards and commissions to be included are: Trustees of the California State University and Colleges; California Community Colleges Board of Governors; California Council on Criminal Justice; Coordinating Council for Higher Education; Board of Education; Board of Equalization; Highway Commission; Little Hoover Commission; Commission of Housing and Community Development; Park and Recreation Commission; University of California Board of Regents; and Social Welfare Board.

July 11-12	**State University & Colleges Board of Trustees.** 5670 Wilshire Blvd., Los Angeles. Time undetermined.
July 13-14	**State Board of Education.** Water Resources Building, Sacramento. 9 a.m.
	University of California Board of Regents. 55 Laguna Street, San Francisco. 9 a.m.
July 14	**Park & Recreation Commission.** City Council Chambers, 6th and K Streets, Eureka. 9 a.m.
July 20-21	**Highway Commission.** City Council Chambers, 1st and Mission Streets, San Jose. 10 a.m.
July 21	**Little Hoover Commission.** City Center, San Diego. 10 a.m.
July 27-28	**Social Welfare Board.** 7/27 — Villa Hotel, San Mateo. 7:30 p.m. 7/28 — Dep't. of Public Health and Welfare Building, San Mateo. 9 a.m.
July 28	**California Council on Criminal Justice.** Burlingame Hyatt House, Burlingame. 9:30 a.m.
July 31-Aug. 4	**Board of Equalization.** 1020 N Street, Sacramento. 2 p.m.
Aug. 5	**Republican State Convention.** Sacramento. 10 a.m. (location within Sacramento undecided).
	Democratic State Convention. Will be held on a Saturday in August in Sacramento. 10 a.m. (date and location undecided).
Aug. 16	**Commission of Housing and Community Development.** 1121 O Street, Sacramento. 1:30 p.m.
Aug. 26	**American Independent State Convention.** Hotel Senator, Sacramento. 10 a.m. (location tentative).
	Peace and Freedom State Convention. 4202 State Capitol, Sacramento. 10 a.m. (location tentative).

The following boards and commissions follow a standard monthly schedule and thus are not included in the Calendar: Board of Agriculture, first Thursday of each month; Allocation Board, second Tuesday; San Francisco Bay Conservation and Development Commission, first and third Thursdays; Merit Award Board, second Wednesday; Public Works Board, last Monday; Reclamation Board, second and fourth Fridays; Soil Conservation Commission, fourth Tuesday; State Lands Commission, last Thursday; Transportation Board, first Thursday; California Water Commission, first Friday; and Water Resources Control Board, first and third Thursdays. Please contact the agency for meeting time and place.

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California Journal/NEWSBRIEFS

Reagan, Moretti Reach Tax Compromise

Governor Reagan and Assembly Speaker Bob Moretti announced on June 30th that they had reached agreement on a $1.2 billion tax relief-school finance proposal. The compromise provides for expenditures of $530 million for additional school aid in 1973-74. It also grants $410 million in homeowner's property tax relief, $125 million in renter's tax cuts, $45 million for business inventory tax reductions, $103 million in new revenues for local government, and $8 million for other purposes. The homeowner's tax exemption is to be raised from $750 this year to $1750 in 1972-73.

The plan is to be financed through a one-cent sales tax increase, the addition of .35 percent to every state insome tax rate, a 1.4 percent increase in bank and corporation taxes, an increase in the vehicle-in-lieu fee from 2.0 percent to 2.85 percent, $181 million from the state's General Fund surplus, and $14 million from other changes. The income tax increase is to be imposed only if the federal government does not adopt a revenue sharing plan this year. In general, the plan seems to be closer in several important respects — school aid, use of income tax, the homeowner's exemption — to the earlier Democratic tax package than to the Republican plan (see *California Journal*, May 1972, p. 145). However, it also incorporates several important features from the Republican plan, including a ceiling on local taxes based on 1972-73 tax rates, the use of the General Fund surplus, and the increase in vehicle-in-lieu fees as additional revenue for local government.

With a strong assurance of substantial support from both parties in the Assembly, the Governor and Moretti began polling the Senate. Reagan won a 17-2 vote from Senate Republicans, but the Democratic majority would not commit itself. Nevertheless, the compromise plan is to be amended into Moretti's AB 1000, which has been pending before the Senate Revenue and Taxation Committee, and backers talked of presenting the bill on July 19th.

$130 Million 'Wind Fall' Ends L.A. School Crisis

Legislation authored by Senator James Q. Wedworth and signed by the Governor June 2nd will permit the Los Angeles City Schools to shift the greater part of $130 million from teacher retirement funds to expenditures for current operations. The money became available when the district's teachers, who had been covered by a district-administered retirement plan, voted to join the state's teacher retirement system. Under the new state law, the money, which has been accumulating in the district plan, is to be reallocated as follows: 20 percent to pay the district's share of state retirement system costs, 15 percent to a special annuity fund to supplement retirement benefits, and 65 percent (approximately $85 million) to the districts' general fund to meet current operating costs. By decision of the district board, approximately half of this amount ($42 million) will be spent this year, with the balance, plus whatever earnings accrue, to be held for next year's budget.

This windfall, plus $10 million which the district will receive as its share of increased school aid under the recently enacted state budget, will be more than enough to preclude a $31 million budget cutback previously planned by district officials. It will also permit a one-time 25-cent reduction in district taxes, the amount that had been budgeted for retirement contributions this year.

ARB Adopts New State Burning Guidelines

On June 21st the Air Resources Board adopted statewide guidelines covering burning related to farming, range improvement, forest management, and wildlife habitat improvement. The new rules replace existing agricultural burning guidelines in effect for six of the state's 11 air basins since last September. They exempt all agricultural burning on land above 6,000 feet and all open burning related to farming above 3,000 feet.

Local air pollution control districts will have until December 20th to develop implementation plans, including enforcement procedures. On that date the Air Resources Board will begin issuing daily notices as to whether the day is a "permissive-burn" or a "no-burn" day in each of the 11 air basins. The determination will be based upon meteorological criteria also adopted by the board in June. ARB meteorologists in Sacramento will analyze weather conditions in each basin before issuing the daily notices at 7:45 in the morning. They will also issue advisory outlooks on request for the following day.

Earthquake Report Shakes State Capitol

A team of architects and engineers reported to the Legislature on June 30th that the original part of the century-old state capitol would not be safe in an earthquake. The team, led by State Architect Fred Hummel, urged the Legislature to abandon the historic building and move the legislative chambers temporarily to the east wing, which was built in 1952 and is believed to be safe. As longer-range solutions, the report proposed several alternatives ranging from making the old building usable as a museum, at a cost of $12 million, to an extensive reconstruction, at a cost of $41 million, to make it safe for full use.

Senator Alfred E. Alquist, chairman of the Joint Committee on Seismic Safety and author of the legislation that called for the study, immediately proposed a resolution banning tours of school children through the old building, forbidding entry by minors not accompanied by parents or an authorized adult, and requiring signs to be posted at the entrances to warn visitors that the building is unsafe. Legislative Analyst A. Alan Post, whose own office is on the third floor of the old building, called the report "chilling". He recommended a floor-by-floor study to determine whether the upper floors can be strengthened for continued use at a reasonable cost.

Compromise Reached on Environmental Board

Governor Reagan and Assemblyman Edwin Z'berg announced in mid-June that they had reached agreement on bipartisan legislation to

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create a single Environmental Protection Board to coordinate all of the state's anti-pollution programs. The bill, AB 2376 (Z'berg and Way) transfers the present powers of the Air Resources Board and the Water Resources Control Board to the new agency. In addition, it is to assume responsibility for solid waste management under SB 5 (Nejedly) of this session and is to review and comment upon the regulations and activities of other departments regarding radiation, pesticides, and noise pollution. It will also coordinate the preparation of environmental impact statements. The new board is to consist of seven full-time, salaried members appointed by the Governor to represent the fields of air quality, water quality, noise control, nuclear radiation control, pesticides, solid waste management, water quality, and water rights. The Secretary for Resources is to be chairman.

The existing local and regional air pollution and water quality control boards will remain essentially unchanged. A new 11-member Citizens Environmental Protection Council is to be set up to advise the new board on administrative and legislative actions necessary to maintain and improve the state's environmental quality.

The compromise plan is very similar to the plan proposed by the Governor at the 1971 session. The new agency has no direct responsibility for land-use planning and control and makes no important change in air pollution, pesticide, noise pollution, and radiation control. Nevertheless, it appears to have the general support of conservation groups. The principal opponent is Legislative Analyst A. Alan Post who argued before the Assembly Ways and Means Committee on June 26th that the board would be too "thin" in air and water pollution expertise and should not be chaired by the Secretary for Resources, who has enough responsibility at present. Post also warned that the existing air and water boards will lack incentive to carry out their current duties while the new board is being organized to take over those duties.

AB 2376 was quickly approved by the Assembly Natural Resources and Conservation Committee June 16th but has so far failed to pass the Ways and Means Committee.

First Medi-Cal Prepaid Health Plans Signed

The first two Medi-Cal contracts for prepaid health plans, authorized under last year's Medi-Cal legislation, were announced last month by outgoing director Earl W. Brian Jr. The two contractors are the Central Los Angeles Health Project and the Sacramento County Medical Society's Medical Care Foundation. They will be paid on a per capita basis for services to persons eligible for Medi-Cal in the areas they serve. The plans will not be subject to such principal Medi-Cal restrictions as the limitation to two physician visits per month; instead the contractors will be permitted to exercise their own cost controls within the terms of their contracts. According to Brian, these are the first of more than two dozen contracts that the state will sign to cover a total of 250,000 Medi-Cal beneficiaries.

The Sacramento plan will cover up to 56,000 beneficiaries on a voluntary basis in Sacramento, Yolo, El Dorado, Placer, and Nevada Counties. It will provide nearly every kind of treatment except dental care. If the plan succeeds, it will give local doctors nearly total control over Medi-Cal services in the five-county area, including authority to set their own uniform fee schedules. The Los Angeles plan is to be administered by a nonprofit corporation that will operate a clinic near downtown and serving an area within a seven-mile radius. It is expected to enroll some 10,000 patients within a few months.

State General Fund Passes Crisis, Repays All Temporary Loans

The financial crisis which beset the State of California for more than two years is over, according to a report issued in mid-June by State Controller Houston Flournoy. Completing a "dramatic reversal" of its fiscal condition, the state General Fund in May paid off the last of its temporary debt to other state funds. Tax revenues have come in fast enough not only to meet current spending obligations but to pay off all remaining past loans for the first time since July 1970, Flournoy reported.

In the fiscal year just completed, the General Fund paid off $236.7 million in temporary loans carried over from the previous year and $510 million in emergency notes issued last fall and winter to keep the state operating until income tax withholding went into effect last January. Through May, General Fund receipts were up 19 percent over the previous year, while expenditures rose only 4 percent.

Assembly Studies a New Way to Draw Districts

Its attention focused on other issues, the Legislature has made no progress in the matter of legislative and congressional reapportionment since the state Supreme Court adopted temporary lines for this year's elections. The Senate has passed a bill very similar to last year's, but the Assembly has failed either to act on the Senate plan or to solve its own more complex redistricting problems. If the legislators fail to reach a compromise by the end of the year, the court has said it will do the redistricting itself.

Many legislators are now talking of postponing further attempts until after the November election, but over the long Fourth of July weekend, the Assembly Constitutional Amendments Committee studied a new approach. Henry A. Waxman, chairman of the Assembly Elections and Reapportionment Committee, has proposed creation of a six-member bipartisan commission to reapportion the Legislature and the state's congressional seats, this year and forevermore. Each of the two major parties would choose three commissioners.

Waxman's plan would require a constitutional amendment approved by the voters in November. If approved, the new commission could begin deliberations before the year is out — just meeting the Supreme Court's deadline.

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Selected State Government Reports

LEGISLATURE

Summary Digest of Statutes Enacted and Resolutions Adopted and 1969-1971 Statutory Record, available from Legislative Bill Room, State Capitol, Sacramento 95814. 66 p. ($5.25). Summary of each law enacted in the 1971 Regular and Extraordinary Sessions; also, a cumulative statutory record for the 1969-1971 sessions.

Committee Assignments and Changing Leadership Structures in the California Senate: A Survey of Four Regimes, by Alvin D. Sokolow, Associate Professor of Political Science at the University of California, Davis; Institute of Governmental Affairs, University of California, Davis 95616. November 1971. Research Report Series No. 23. 20 p. A study of the declining importance of seniority in the upper house.

Legislatures Move to Improve Their Effectiveness, by the Citizens' Conference on State Legislatures, 4722 Broadway, Kansas City, Missouri 64112. April 1972 Research Memorandum No. 15. 53 p. ($2.00) A report on the strengthening of state legislatures from mid-1970 through 1971, including an analysis and summary of findings according to the categories originally surveyed in 1970 and state-by-state reports of changes.

ENVIRONMENT

The California Tomorrow Plan, Revised Edition, Alfred Heller, ed., William Kaufmann, Inc., One First Street, Los Altos 94022. July 1972. 107 p. (Cloth, $7.95; Paper, $2.50.) A revised version of the California Tomorrow vision of the state's future, first without any major change in basic policies and, second, after the adoption of a set of policies aimed at conserving resources, protecting the environment, and strengthening state and regional planning.

Wastewater Treatment Facility Needs: Five-Year Forecast of California Public Agencies' Needs, prepared by the State Water Resources Control Board, 1416 Ninth Street, Room 1140, Sacramento 95814. April 1972. 71 p. A detailed survey of the state's nine regions, with summary.

EDUCATION

1971 Annual Report of the Director, Coordinating Council for Higher Education. Very limited supply available from the council, 1020 12th Street, Sacramento 95814. January 1972. 62 p. Third annual summary of the activities of the California Coordinating Council for Higher Education.

Evaluation of the Title I Program in California, 1966-1971: Developing Community Service and Continuing Education Programs in California Higher Education Institutions. Prepared for the Coordinating Council for Higher Education by James A. Farmer Jr., Paul H. Sheats, and J. David Deshler. Very limited supply available from the council, 1020 12th Street, Sacramento 95814. May 31, 1972. 174 p. The primary objective of the evaluation project was "to determine to what extent the selection, funding, and implementation of Title I projects in California during the past five years have been successful in achieving the national, state, and local objectives set for Title I."

Marine Resources for California Higher Education: Phase 2. Prepared for the Coordinating Council for Higher Education by Martin R. Brittan. Very limited supply available from the council, 1020 12th Street, Sacramento 95814. April 1972. A description and analysis of coastline sites available and desirable for use by California institutions of higher education in order to expand their marine science research and instruction programs. This report is an extension of Marine Resources for California Higher Education: Phase 1, which was the council's preliminary contribution to the Comprehensive Ocean Area Plan.

Report to the Legislature Concerning the College Opportunity Grant Program, by the California State Scholarship and Loan Commission, 714 P Street, Rm. 1640, Sacramento 95814. May 1, 1972. 6 p. Brief summary and analysis of the program.

MISCELLANEOUS

California Transportation System Evaluation Project, Summary Report, prepared by TRW Systems Group and Wilbur Smith and Associates for the State of California Business and Transportation Agency, Office of Planning and Research, 1120 N Street, Sacramento 95814. December 1971. 38 p. The purpose of this project was to develop a systematic, objective, and equitable procedure for evaluating alternative transportation systems, which can be used in developing a comprehensive state transportation plan.

California Tax Outline, California Taxpayers' Association, 718 11th & L Building, Sacramento 95814. 17 p. (25¢) A summary outline of the California state and local government tax system as of January 1, 1972. Gives key information and is a handy reference guide to taxpayers who need to know where they can get more detail.

State of California Public Employment Program Progress Report, Advisory Coordinating Council on Public Personnel Management, 455 Capitol Mall, Suite 385, Sacramento 95814. June 1972. 32 p. Includes **A Report on the Public Employment Program in California: A View From the Local Level,** drawn from a conference of public employment program administrators.

Final Report to the California State Legislature in Response to Assembly Concurrent Resolution 157, Relative to State Employment, by the State Personnel Board, 801 Capitol Mall, Sacramento 95814. June 1, 1972. Report on employment opportunities for minorities in the civil service and the state's affirmative action program.

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PEOPLE IN THE NEWS

The new interim director of the Department of Health Care Services, which administers the $1.6 billion Medi-Cal program, is **Dwight (Speed) Geduldig,** 48. Geduldig replaces Dr. Earl Brian Jr. who, on July 1st, assumed his new position as Secretary of the Human Relations Agency. Geduldig had been Dr. Brian's chief deputy director since last January. He will serve as director until next July 1st, when the Departments of Health Care Services, Public Health, and Mental Hygiene will be merged into the new Department of Health.

Republican state central committeeman and former state Senator **Vernon J. Sturgeon,** 55, was elected chairman of the state Public Utilities Commission. Sturgeon who was appointed to the commission by Governor Reagan in 1969 succeeds J. P. Vukasin Jr., who served two one-year terms as chairman of the commission.

On June 29th, the commission announced that it had appointed **John P. Mathis** as chief counsel, replacing Mary Moran Pajalich who was recently appointed a judge on the San Francisco Municipal Court. Mathis graduated from Harvard Law School in 1969 and has had only one year of experience in regulatory law, as special assistant to the general counsel of the Federal Power Commission. Two members of the commission opposed his appointment because of his lack of experience, and one, Thomas Moran, stated publicly that the appointment is "one more step in the process of destroying public confidence" in the PUC.

William C. Hern, 57, director of the State Department of Industrial Relations since 1970, resigned on June 28th. Last winter, Hern was under attack, along with Jack F. Hatton, the head of the Industrial Safety Division, by a legislative investigating committee, which charged that the division had failed to enforce labor safety orders. Hatton resigned in January. Assembly Majority Leader Jack Fenton, head of the investigating committee, said of Hern's resignation: "The only disappointment with his departure is that it was six months in coming".

June 13th was a big day for appointments in the field of education. Among the appointees were two members of racial minorities. **Mrs. Almena Lomax,** a prize-winning journalist, was named to the Coordinating Council for Higher Education. Mrs. Lomax is active in the NAACP and various community organizations, and has served as a member of the Governor's Task Force on Welfare Reform. A Republican, she succeeds **Robert G. Tuck,** who was appointed to the Educational Commission of the States. Six current council members were reappointed. That same day, it was announced that **Richard A. Garcia** was appointed a trustee of the California State University and Colleges. Garcia, president of a Glendale firm and a member of the Glendale Planning Commission, has been active in programs assisting minority businessmen. Also a Republican, he succeeds Dr. William McColl, who resigned. Other appointees include two new members to the Board of Governors of the California Community Colleges: **Dean S. Lesher,** a Walnut Creek newspaper publisher, and **James J. Crumpacker,** a Sacramento public relations man.

State Superintendent of Public Instruction Wilson Riles announced on June 5th the promotion of **Edwin H. Harper,** 54, from associate state superintendent to deputy state superintendent for administration. Harper has served in the department since 1957. In 1963 he was appointed chief of the Bureau of School Apportionments and Reports, and in 1968 became assistant division chief of school administration and finance. In his new job, he will be one of three deputy state superintendents whose positions have been set up under a departmental reorganization plan drawn up by Riles and recently approved by the State Board of Education.

Another of the deputy superintendent positions will be filled by **Clarence L. (Clare) Hall,** 45, who is leaving Ocean View Elementary District after four years as superintendent to become deputy state superintendent for instruction. Hall, who has a doctorate in education administration from Stanford University, is credited with having transformed the deteriorating Ocean View district into a model of financial well-being, student achievement, and community support.

On July 15th, **Richard Malcolm,** 48, will leave his post at the Department of Social Welfare to return to local government administration and planning as a member of a private consulting firm. Malcolm, who has served as the principal deputy to Welfare Director Robert B. Carleson, was city manager of San Marino before he joined the Welfare Department in April 1971. "I have enjoyed my 14 months with the Department," Malcolm said, "and consider myself privileged to have played some part in helping to get California welfare turned around and headed in the right direction."

The members of the California Highway Commission have elected commissioner **Winston R. Fuller,** 62, to a one-year term as chairman. **Joseph F. Sinott,** 66, was elected vice chairman. Fuller, a San Marino business executive, succeeds Maynard Munger of Fresno. Sinnott, recently retired president of the San Diego Gas and Electric Company, replaces Fuller, who served as vice chairman during the past year. Both Fuller and Sinnott were first appointed to four-year terms on the commission by Governor Reagan in January 1970.

The California Commission on Judicial Appointments voted 2-1 on June 26th to approve the appointment of Chief Assistant Attorney General **Herbert L. Ashby,** 42, to a seat on the Court of Appeal. Chief Justice Donald R. Wright cast the opposing vote. Ashby was nominated by Governor Reagan last April to succeed Justice William A. Reppy, who retired from the 2nd Appellate District in Los Angeles.

Fred E. Hummel, 44, chief of the state Office of Architecture and Construction was recently awarded a fellowship in the American Institute of Architecture. Hummel was appointed state architect by Governor Reagan in 1968.

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VOTING RECORDS

SENATE

June 2nd to 8th

SCA 73 (Marks) — Authorizes legislature to simplify the reporting and collecting of state income taxes by making reference to federal income tax laws, but prohibits legislature from making changes in state income tax rates based on future changes in federal tax rates. Adopted 27-7.

SB 470 (Alquist) — Prohibits public schools from discriminating in employment on the basis of sex. Prohibits public schools from asking any questions of applicants for non-teaching positions relating to the sex of applicant. Passed 23-6.

SB 499 (Alquist) — Provides that employees of state colleges must be allowed to inspect material in their personnel files which may affect their employment status. Provides for employees' right to review derogatory material in personnel files. Passed 23-8.

AB 4 (Garcia) — Requires foreign-language-speaking election officials in precincts with substantial numbers of non-English speaking voters. Failed 18-15.

June 9th to 15th

SB 1108 (Gregorio) — Permits salaries of elective county officers to be increased or decreased during term of office at the same time Board of Supervisors fixes salaries of other officers and employees, but requires that such increases or decreases shall be subject to referendum. Passed 21-10.

SB 987 (Roberti) — Prohibits giving any intelligence test to any public elementary or high school pupil who is a foreign student until the student has resided in U.S. for two years. Passed 27-8.

SB 699 (Harmer) — Makes it criminally punishable to sell or distribute to minors obscene books, magazines, photographs, motion pictures, or other obscene matter. Passed 23-10.

SB 649 (Lagomarsino) — Provides for omnibus pretrial hearing on all issues other than the guilt or innocense of a defendant. Limits defendant's right to pretrial appellate review. Passed 23-5.

SB 902 (Gregorio) — Reduces penalties for possession of marijuana. Makes possession of marijuana punishable on a first conviction by a fine of not less than $50 nor more than $300, rather than by imprisonment in the county jail for not more than 1 year or the state prison for not less than 1 year nor more than 10 years. Makes second conviction for possession of marijuana punishable by imprisonment in the county jail for not more than 1 year or by imprisonment in the state prison for not less than 1 year nor more than 10. Failed 16-19.

SB 50 (Collier) — Appropriates $7.8 billion for the support of state government for fiscal year 1972-73. Senate adopted conference report 31-2.

SCA 70 (Stiern) — Authorizes legislature to exempt from ad valorem taxation certain improvements which reduce environmental pollution. Adopted 27-2.

June 16th to 22nd

SB 1091 (Carpenter) — Authorizes community colleges to impose a fee, not to exceed $1.00, for adding or dropping a course after the deadline for doing so. Passed 21-15.

SB 1358 (Beilenson) — Prohibits hospitals and clinics which permit sterilization operations for contraceptive purposes from requiring individuals desiring sterilization to meet any special non-medical qualifications in order to obtain sterilization operation. Passed 25-9.

SB 567 (Beilenson) — Allows prophylactics to be sold across the counter at retail establishments and through vending machines. Passed 24-12.

SB 372 (Bradley) — Deprives teachers and professors of tenure or any years credited toward tenure if they go out on strike. Failed 15-23.

SB 1421 (Roberti) — Requires a court to appoint counsel for the parent of a minor alleged to be a neglected and dependent person if the parent appears at juvenile court hearing without counsel and the court determines the parent is unable to afford counsel. Urgency measure. Failed 25-13.

SCA 69 (Dymally) — Extends right to vote to resident aliens. A constitutional amendment to be submitted to voters for approval. Failed 11-24.

SB 42 (Dills) — Restores the Old Age Security responsible relative scale to the levels which applied prior to the Welfare Reform Act of 1971. Attempted override of Governor's veto. Failed 22-17.

SCA 32 (Rodda) — Revises state constitution to conform to federal with respect to 18-year-old vote. Requires legislature to define residence for purpose of elections and to provide for an open presidential primary. Adopted 27-10.

SCA 25 (Petris) — Proposed constitutional revision of the rights of suffrage. Enfranchises persons unable to read Constitution in English or to write their own names and persons convicted of infamous crimes, embezzlement or misappropriation of public funds, unless under sentence or court order for felony. Permits persons convicted of certain crimes to hold office and serve on juries. Failed 26-12.

SB 409 (Alquist) — Requires that issuance of revenue bonds for joint powers projects involving generation, production, or transmission of electrical energy by subject to local ordinance and referendum. Failed 16-15.

SB 99 (Petris) — Requires a person with an agricultural pest control license to file pesticide spray report by the 10th of each month with the county agricultural commissioner of each county in which such person has treated crops. Passed 27-2.

SB 199 (Carpenter) — Raises required number of signatures on nomination papers for candidates for city offices in cities of 1,000 or more from no less than 5 nor more than 10, to no less than 20 nor more than 30. Requires amount of filing fee to equal 1 percent of salary for first year in office or $25, whichever is greater. Passed 21-11.

ASSEMBLY

May 25th to June 1st

ACA 33 (Pierson) — Proposed constitutional amendment to revise the procedure for recalling public officials and state officers. Provides that initiators of recall petitions have 160 days to file signed petitions. Requires recall election to be called not less than 60 nor more than 80 days after signatures have been certified. Refused adoption, 29-25.

AB 620 (Waxman) — Abolishes suit for deficiency balance when automobile is repossessed after default in payments. Passed 51-16.

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AB 645 (Waxman) — Requires that packages of food contain freshness, expiration, or packing date. Exempts baby foods, canned foods, and foods packaged at retail outlet where they are sold. Passed 59-2.

AB 721 (Bagley) — Authorizes counties to recuire that low and moderate income housing be included in any subdivision development or other housing program. Failed 20-30.

AB 2138 (Dunlap) — Imposes additional restrictions on placing land in agricultural preserves under the 1965 Land Conservation Act. Passed 41-30.

AB 217 (H. Johnson) — Requires current pr ce of any drug for sale at a pharmacy, whether or not a prescription drug, to be posted by the pharmacist. Failed 33-35.

SB 64 (Rodda) — Prohibits live vertebrate animals in school classrooms from being subjected to vivisection, experimental medication, or drugging so as to cause painful reactions or induce lethal pathological conditions. Failed 35-15.

AB 2139 (Dunlap) — Authorizes county boards of supervisors to encourage compatible uses of restricted land under 1965 Land Conversation Act, particularly public outdoor recreational uses, and authorizes the indemnification of property owners for claims arising by reason of such land use. Failed 39-29.

AB 488 (Dunlap) — Provides for the establishment of alternative schools to enable teachers, parents, and students to participate in the development of the learning process. Such schools would be operated in a manner to maximize the opportunity for mprovement of the general school curriculum by innovative methods and ideas. Requires teachers and pupils to be selected from volunteers. Prohibits discrimination in the operation of such schools. Passed 41-23.

ACA 81 (Knox) — Authorizes legislature to make loans to private entities for the acquisition, construction, and installation of environmental pollution control facilities and to authorize the issuance of revenue bonds to raise funds for financing such pollution control facilities. Failed 41-7.

ACA 67 (L. Greene) — Directs legislature to provide for and support a free public school system and requires the granting of basic state financial aid to each school district. Failed 48-16.

AB 182 (Cory) — Revises financial disclosure law relating to public officers and candidates for public office, and requires disclosure by certain public officers and candidates of the nature of their investments in excess of $10,000 which are subject to the regulation of the agency of which they are officers. Failed 34-17.

SENATE	SCA 73	SB 470	SB 499	AB 4	SB 1108	SB 987	SB 699	SB 649	SB 902	SB 50	SCA 70	SB 1091	SB 1358	SB 567	SB 372	SB 1421	SCA 69	SB 42	SCA 32	SCA 25	SB 409	SB 99	SB 199
Democrats																							
Alquist	Y	Y	Y	Y	Y	Y	N	N	Y	*	Y	Y	Y	Y	N	Y	*	Y	Y	Y	Y	Y	Y
Beilenson	Y	Y	Y	Y	Y	Y	N	*	Y	*	*	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Carrell	Y	Y	Y	Y	*	Y	Y	Y	Y	*	*	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Collier	N	*	*	*	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	N	Y	Y
Dills	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N	Y	*	N	*	Y	Y	Y	Y	N	Y	Y
Dymally	Y	Y	Y	Y	Y	Y	*	*	*	Y	*	*	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Gregorio	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N
Holmdahl	Y	Y	Y	N	N	Y	Y	Y	N	Y	Y	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
Kennick	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y	Y	N	*	*
Mills	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	N	Y	Y	Y	Y	Y	Y
Moscone	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	*	Y	Y	N	Y	Y	Y	Y	Y	Y	*	*
Petris	N	*	*	Y	Y	Y	N	N	Y	*	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N
Roberti	*	*	*	Y	Y	Y	N	N	Y	*	*	N	N	Y	N	Y	Y	Y	Y	Y	*	Y	N
Rodda	Y	Y	Y	Y	Y	Y	N	*	Y	Y	Y	N	Y	*	N	Y	Y	Y	Y	Y	Y	Y	N
Short	Y	Y	Y	Y	Y	Y	*	*	Y	Y	Y	N	Y	Y	N	Y	*	Y	Y	Y	*	*	*
Song	Y	Y	Y	*	Y	Y	N	Y	Y	Y	*	N	Y	Y	N	Y	*	Y	Y	Y	*	*	*
Stiern	N	Y	Y	Y	N	Y	Y	*	N	Y	Y	N	*	Y	Y	Y	N	Y	Y	N	Y	Y	Y
Teale	*	Y	Y	Y	*	*	N	*	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y
Walsh	*	*	*	*	Y	Y	Y	*	N	Y	Y	*	*	Y	N	Y	N	Y	*	*	N	Y	Y
Wedworth	*	*	*	Y	*	*	Y	Y	*	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y	*	*	*
Zenovich	Y	Y	*	Y	Y	Y	*	*	Y	N	Y	*	Y	Y	N	Y	*	Y	Y	Y	Y	Y	Y
Republicans																							
Behr	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	Y	N	N	Y	Y	Y	Y	N
Biddle										Y	Y	Y	Y	N	*	N	N	N	N	N	N	Y	Y
Bradley	Y	N	N	N	Y	N	Y	Y	N	Y	N	Y	N	Y	Y	N	N	N	N	N	N	Y	Y
Burgener	Y	*	Y	N	*	Y	Y	Y	N	Y	Y	Y	N	Y	Y	N	N	N	Y	Y	*	*	*
Carpenter	N	N	N	*	N	N	Y	Y	N	*	*	Y	N	N	Y	N	N	N	N	N	N	Y	Y
Coombs	Y	N	N	*	Y	N	*	*	N	Y	Y	Y	N	N	Y	N	N	N	N	N	N	*	Y
Cusanovich	N	N	N	N	N	N	Y	Y	N	Y	*	Y	N	N	N	N	N	N	N	*	*	*	
Deukmejian	N	*	Y	N	N	Y	Y	Y	N	Y	Y	N	*	N	Y	Y	N	N	N	N	N	Y	N
Grunsky	Y	Y	Y	N	N	Y	Y	Y	N	Y	Y	Y	Y	Y	N	N	N	N	Y	Y	N	Y	N
Harmer	Y	N	N	N	*	*	Y	*	*	*	*	Y	*	N	Y	N	N	N	N	N	N	*	Y
Lagomarsino	Y	Y	N	N	Y	N	Y	Y	N	Y	Y	Y	N	N	Y	N	N	N	N	N	*	N	Y
Marks	Y	Y	Y	*	Y	Y	Y	N	Y	Y	Y	N	Y	*	N	Y	*	Y	Y	Y	Y	Y	N
Marler	Y	*	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	N	Y	N	N	N	Y	N	Y	Y	N
Nejedly	Y	Y	*	Y	*	Y	Y	Y	N	Y	*	N	N	N	N	Y	N	N	Y	Y	Y	*	N
Richardson	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	Y	N	N	N	*	N	N	N	Y
Schrade	*	*	*	N	*	N	*	*	N	Y	Y	Y	*	*	Y	*	N	N	*	*	*	*	*
Stevens	Y	Y	Y	N	N	Y	Y	Y	*	Y	Y	N	Y	N	Y	Y	N	*	Y	Y	N	Y	N
Way	Y	*	Y	N	Y	*	*	Y	N	Y	*	Y	Y	Y	Y	N	N	N	N	Y	N	Y	Y
Whetmore	Y	Y	N	N	N	N	Y	Y	N	Y	*	Y	*	Y	Y	Y	N	N	N	N	N	Y	Y

June 2nd to 8th

AB 1324 (Chappie) — Authorizes school districts to permit smoking by students who are 15 and over on high school campuses if students have parents' permission, and lowers from 18 to 15 years the age which smoking may be permitted on junior college campuses. Failed 15-30.

AB 1275 (Fenton) — Provides for the regulation of insurance policies issued to cover mass merchandising plans for property and casualty insurance. Passed 50-15.

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AB 1400 (Fenton) — Enacts Industrial Safety Act of 1972 and revises laws which regulate industrial safety. Establishes Industrial Safety Board to fix reasonable safety standards, regulate safety devices, and to promulgate general safety orders for all types of employment. Passed 58-5.

AB 205 (Fenton) — Extends unemployment benefits to agricultural workers. Passed 43-22.

June 9th to 15th

ACA 25 (Knox) — Proposed constitutional amendment to be submitted to voters for approval. Would permit persons 18-21 to purchase and consume alcoholic beverages. Adopted 55-13.

AB 69 (Deddeh) — Creates Dept. of Transportation to replace the Departments of Aeronautics and Public Works. Requires new department to coordinate the preparation of a proposed State Transportation Plan for mass transit, highways, aviation, maritime traffic, and railroads. Requires the preparation of regional transportation plans. Passed 53-10.

AB 290 (Gonsalves) — Permits qualified charitable organizations presently prohibited from carrying on lobbying activities in order to retain their tax exempt status to carry on such activities in matters of direct interest to each organization under certain circumstances. Failed 41-24.

SB 50 (Collier) — Appropriates $7.8 billion for the support of state government for fiscal year 1972-73. Assembly adopted conference report 72-4.

AB 366 (Hayes) — Authorizes any person, agency, or legal entity to maintain action for equitable relief against any person for the protection of the environment from pollution, impairment, or destruction. Passed 42-25.

AB 806 (Z'berg) — Authorizes any person, agency, legal entity, or Attorney General to maintain action for declaratory and equitable relief against any entity for the protection of the environment from pollution, impairment, or destruction. Passed 43-23.

June 16th to 22nd

AB 1896 (McAlister) — Grants additional aid in an amount not to exceed $500 in any fiscal year as a "special need" to recipients of Old Age Security in the amount of property taxes on their homes in excess of $180 in any fiscal year. Passed 47-10.

AB 908 (Ryan) — Requires Adult Authority to set parole date for each inmate within 6 months of the inmate entering correctional facility. Passed 45-13.

AB 1682 (Crown) — Permits motion for new trial on grounds of newly discovered evidence within 2 years after disposition of a case. Failed 26-35.

AB 2182 (Cline) — Requires testing and identification of mentally gifted minors to be conducted by credentialed school psychologists. Prohibits pupil personnel workers from serving as school psychologists in the performance of certain examinations of educationally handicapped and mentally retarded pupils. Failed 12-41.

AB 1288 (Burton) — Enacts Service Contract Act requiring the payment of prevailing wages in contracts for labor awarded by state, city, and county governments. Passed 41-18.

ASSEMBLY Democrats	ACA 33 AB 620 AB 645 AB 721 AB 2138	AB 217 SB 64 AB 2139 AB 488 ACA 81	ACA 67 AB 162 AB 1324 AB 1275 AB 1400	AB 205 ACA 25 AB 69 AB 290 SB 50	AB 366 AB 806 AB 1896 AB 908 AB 1682	AB 2182 AB 1288 AB 2293 AB 1757 AB 1550	AB 217 AB 807 AB 1470 AB 1706 AB 273	AB 1042 ACA 20 AB 2082 AB 1384 AB 1832	AB 2285 ACA 77
Bee	YYYYY	Y*YY*	YNNYY	YY**Y	YYYY*	NY*YY	YYYYY	YYYYY	YY
Brathwaite	*****	**YYY	Y*YYY	YY*Y*	*****	*****	*****	**YYY	YY
Brown	YYYYY	YYYY*	Y**YY	YY**Y	YYYY*	*YY*N	YYYYY	YY***	**
Burton	*YYYY	YYYYY	Y**YY	YYYYY	YY*YY	NY*YN	*YYY*	*YYYY	YY
Chacon	*YYNY	NYYY*	YYNNY	YYYYY	YYYYY	NYYNY	YYYYY	YNY*Y	YY
Cory	YYYYY	Y*YYN	YYYYY	YYYYN	YYYYN	*YNY*	*****	**YYY	YY
Crown	*YYYY	Y*YYY	YN*YY	YN**Y	YY**Y	NYNY*	*****	**YYY	YY
Cullen	NYYYY	YNNYY	Y**NY	YYYNY	**YYY	NYNNN	NYYYN	NY***	**
Davis	NYY*N	N*N*Y	NYN*Y	*NN*Y	**YYY	NYNNY	N*YNY	*N***	NY
Deddeh	NYYNY	Y**YN	YYYNY	YYYYY	YYYYY	NYYNY	NYYYN	YNYYY	YY
Dunlap	*YY*Y	YYYYY	YY*YY	YYYYY	YYYYY	NYNY*	YYYYN	YNYYY	YY
Fenton	YYYYY	Y*YY*	YNYYY	YYYYY	YYYYN	NYNYY	YYYYY	YYYYY	YY
Fong	***Y*	**YYY	Y*NNY	YYYYY	YY**Y	*Y*Y*	*YYYY	Y*YYY	YY
Foran	YYY*Y	YNY**	**NYY	YYYYY	NNYYN	NYNYY	Y*YY*	YYYYY	YY
Garcia	*YYYY	YYYYY	YY*YY	Y***Y	YY*Y*	*Y*YN	YYYY*	YNYYY	YY
Gonsalves	YYY*Y	Y**YY	Y*NYY	YYYYY	YYYY*	NYNYY	NYYYY	YYYYY	YY
Greene, B.	NYY*Y	Y*YY*	Y****	YYYYY	YY*YY	*Y*Y*	*Y***	Y*YYN	YY
Greene, L.	*YYYY	NYYYY	YYYYY	YYYYY	YYYYY	NYNY*	*YY*N	Y*YY*	*Y
Johnson, H.	*YY*Y	Y*YYY	Y*NYY	YYYYY	NNYYY	*YYYY	YYYYY	YYYYY	YY
Karabian	*YY*Y	*YYYY	Y****	YY*YY	YY***	NY*Y*	*YYYY	YY*N*	YY
Keysor	YYYYY	NNYYY	YYNYY	YNYYY	YYYYY	YYYYY	NYYYY	Y*YYY	YY
Knox	*YY*Y	Y**YY	YN*YY	YYYYY	*Y*YY	NY***	*****	**YYY	YY
LaCoste	NYYNN	YYNYY	NY*YY	YYNYY	NNYYN	NYNN*	NYYNY	YNYYY	YY
MacDonald	Y*Y*N	NYY**	**NYY	YYYYY	YYYYN	NN**Y	NYYNY	Y*YYY	YY
McAlister	NYYYY	YYYYY	YYNYY	YNYYY	YYYYN	YYYNY	YYYNY	YYYYY	YY
McCarthy	YYY*Y	Y*YY*	YY*YY	Y*Y*Y	**Y*Y	*Y*YY	NYYYY	YY*YY	YY
Meade	YYY*Y	YYYY*	YYYY*	YYYYY	YYYYY	NYNNN	*YYYN	YYYYY	YY
Miller	*YYYY	YYYYY	YNYYY	YY*YY	YY*YY	*YYY*	*****	**YNN	YY
Moretti	YYYYY	Y*YY*	Y**YY	YYYYY	YY***	****Y	YYYYY	YYYYY	YY
Pierson	YYY*Y	Y**YN	YY*Y*	YYYYY	YY***	*****			
Porter	****Y	*****	***YY	YYYYY	YYYYY	Y****			
Powers	*YYNY	NYNY*	YYYYY	*YYYY	N*YY*	NYNY*	*YYY*	*N*YY	YY
Quimby	YYY*Y	YYY**	*****	*YYYY	YYYYY	YYNYN	NYYY*	YYYYY	YY
Ralph	YYYYY	Y*YY*	Y****	*YY*Y	YYYYY	*Y***	*YYY*	YY*YY	YY
Ryan	*YYYY	Y*YYY	Y*YYY	YN**N	YY*Y*	***Y*	*YYY*	NYYYY	YY
Sieroty	NYYYY	YYYYY	YYNYY	Y*YYY	YYYYY	YY*NN	YYYYY	Y*YY*	YY
Thomas	YYY*Y	N**Y*	Y**YY	Y*YYY	YYYYY	Y*NYY	NYYYY	YY**Y	**
Townsend	YYY*Y	NYY*Y	Y****	*YYYY	*YYYY	NY*NY	NYYYY	Y**YY	*Y
Vasconcellos	NYY*Y	YYYY*	YYYY*	YYYYY	YYYYY	NY***	*YYYN	N*YYY	YY
Warren	NYYYY	YYYYN	YYNYY	YYYYY	YYYYY	*YNYN	YYNYY	YYYYY	YY
Wilson	YYY*Y	YYY**	**NNY	YY*YY	YYYYY	*YNYN	YYYYY	YYYYY	YY
Waxman	NYYNY	YYYY*	YYNYY	Y*YYY	YYYYY	NY*YY	YYYYY	YNYYY	YY
Z'berg	*YY*Y	YYYYY	YY*YY	YYYYY	YYY**	*Y*NN	YYYYY	YN***	**

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ASSEMBLY Republicans	ACA 33	AB 620	AB 645	AB 721	AB 2138	AB 217	SB 64	AB 2139	AB 488	ACA 81	ACA 67	AB 162	AB 1324	AB 1275	AB 1400	AB 205	ACA 25	AB 69	AB 290	SB 50	AB 366	AB 806	AB 1696	AB 908	AB 1682	AB 2182	AB 1288	AB 2293	AB 1757	AB 1550	AB 217	AB 807	AB 1470	AB 1706	AB 273	AB 1042	ACA 20	AB 2082	AB 1384	AB 1832	AB 2285	ACA 77
Arnett	Y	*	Y	N	N	Y	Y	N	Y	Y	Y	Y	Y	*	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	*	Y	Y	*	N	Y	Y	*	N	*	N	*	*	Y	Y
Badham	N	N	*	N	N	N	N	N	N	N	*	*	N	N	Y	N	Y	N	Y	N	N	*	*	*	*	N	N	Y	N	N	*	*	N	N	Y	N	N	N	N	Y	N	N
Bagley	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	*	*	Y	Y	Y	*	Y	Y	Y	Y	*	*	*	*	*	*	*	Y	N	Y	*	*	Y	Y	Y	*	Y	N	Y	Y	Y	Y
Barnes	N	Y	Y	N	Y	N	N	N	N	Y	N	N	N	Y	Y	N	Y	N	Y	Y	N	N	N	Y	N	N	Y	Y	Y	Y	N	Y	Y	Y	N	*	N	N	N	*	N	N
Belotti	*	Y	Y	*	N	Y	N	N	N	Y	Y	N	N	N	Y	*	Y	Y	Y	N	*	Y	Y	Y	N	N	Y	N	Y	Y	N	Y	Y	Y	Y	*	N	N	N	Y	*	N	N
Beverly	Y	Y	Y	N	N	Y	*	N	Y	Y	*	N	Y	*	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N	*	N	Y	*	Y	*	N	Y	N	Y	*	Y	N	Y	*	Y	N	Y
Biddle	N	N	Y	*	N	N	*	*	*	*	*	*	*	*	Y	N	N	Y	N	Y																							
Briggs	Y	N	*	N	N	N	N	N	N	Y	N	N	N	*	Y	Y	*	*	*	N	N	*	N	N	*	N	*	Y	Y	N	N	Y	Y	Y	Y	*	N	Y	Y	*	Y	*	*
Brophy	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	N	*	*	*	N	Y	*	*	*	*	N	Y	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	Y	Y
Burke	N	N	*	N	N	N	N	N	N	*	*	N	*	*	*	N	N	Y	N	N	N	N	N	N	*	N	N	Y	*	N	Y	N	*	N	Y	*	N	Y	N	Y	N	N
Campbell	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	Y	Y	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	*	Y	N	*	Y
Chappie	N	N	*	*	N	N	N	N	N	Y	Y	N	N	Y	Y	N	N	Y	*	N	N	Y	*	N	*	N	Y	N	*	Y	N	Y	N	N	N	Y	N	*	Y	Y	N	*
Cline	N	N	Y	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	Y	*	Y	Y	Y	*	N	N	N	Y	N	N	Y	Y	N	N	N	N	N	Y	N	*	Y	Y	N	Y
Collier	N	Y	*	N	N	Y	*	N	Y	Y	*	N	N	Y	Y	*	N	N	N	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	Y	N	*	N	N	N	*	*	N	*
Conrad	N	Y	Y	N	N	Y	N	N	Y	Y	Y	N	N	Y	Y	N	Y	Y	Y	Y	N	N	N	N	N	Y	N	Y	Y	Y	N	N	N	N	N	*	N	N	N	Y	*	N	N
Dent	Y	N	*	N	N	N	N	Y	Y	*	*	Y	Y	N	Y	N	N	Y	N	Y	N	N	Y	N	N	Y	N	N	Y	Y	N	*	*	*	*	N	*	Y	Y	Y	N	N	N
Duffy	N	Y	Y	N	Y	N	N	Y	Y	Y	N	N	N	Y	Y	N	N	N	*	N	N	N	Y	N	N	N	*	N	N	Y	N	N	Y	Y	Y	N	Y	Y	Y	Y	N	Y
Hayden	Y	Y	*	N	N	N	Y	N	N	Y	*	Y	Y	Y	Y	N	Y	Y	N	N	N	Y	Y	N	N	N	Y	N	N	Y	N	N	*	*	*	Y	N	*	N	N	N	N	N
Hayes	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	Y	N	Y	Y	N	N	N	Y	Y	N	N	Y	*	Y	Y	N	Y	Y	N	Y	N	*	Y	N	*	Y	N	Y	N
Johnson, R.	*	N	Y	N	N	N	*	N	N	*	N	N	N	Y	*	N	N	N	N	Y	N	*	*	N	*	*	N	Y	Y	N	N	Y	N	N	N	*	N	N	N	Y	N	Y	N
Ketchum	N	Y	*	N	N	N	N	N	N	N	N	N	N	N	Y	N	Y	N	N	N	Y	N	N	N	*	N	*	N	N	N	*	N	N	N	N	N	N	N	Y	Y	N	N
Lancaster																															N	N	N	N	N	N	N	N	N	Y	N	*
Lanterman	*	*	*	*	*	*	Y	*	*	*	*	*	*	*	Y	N	Y	N	N	Y	N	N	N	N	Y	N	N	Y	Y	N	*	N	Y	N	*	N	*	N	Y	N	Y	N	Y
Lewis	N	Y	N	N	N	N	N	Y	*	N	Y	*	Y	Y	Y	N	Y	*	N	Y	N	*	N	Y	N	Y	N	*	Y	N	Y	N	N	Y	N	N	*	N	Y	N	Y	N	N
MacGillivray	Y	N	Y	N	N	Y	N	N	Y	Y	N	Y	N	N	Y	N	Y	N	N	Y	N	N	N	Y	N	N	N	N	Y	Y	N	N	N	N	N	N	N	N	N	Y	N	N	N	N
Maddy	Y	Y	*	*	N	*	*	*	N	Y	*	Y	Y	*	Y	*	Y	N	N	Y	N	Y	Y	Y	N	Y	*	Y	Y	Y	N	*	Y	Y	N	Y	*	Y	Y	Y	Y	*	Y
Mobley	*	N	*	N	N	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	Y	N	N	*	N	N	Y	N	N	*	N	N	*	N	Y	N	N	N	Y	N	Y	N	N	Y
Monagan	*	N	Y	N	N	Y	*	Y	N	Y	N	N	N	Y	Y	N	N	N	Y	N	N	N	*	N	N	Y	N	N	*	N	N	Y	N	Y	N	N	N	Y	N	Y	N	N	Y
Moorhead	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	N	Y	N	N	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	N	N	Y	N	N	N
Murphy	N	Y	Y	N	N	*	N	N	N	Y	Y	Y	N	Y	Y	N	N	N	Y	Y	N	N	Y	Y	N	N	*	Y	N	N	*	N	Y	N	N	*	Y	N	Y	Y	N	*	Y
Priolo	Y	N	*	N	N	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	N	Y	Y	N	Y	Y	N	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Russell	N	Y	N	Y	N	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	Y	N	N	Y	Y	Y	Y	N	N	Y	N	Y	N	N	N	Y	N	N	N	N
Seeley	Y	*	Y	N	N	N	N	Y	N	Y	Y	*	Y	N	Y	N	Y	N	Y	Y	N	*	N	Y	*	N	*	N	Y	*	N	*	*	Y	*	*	N	Y	Y	Y	N	N	N
Stacey	Y	N	*	N	N	N	N	Y	Y	Y	N	*	N	Y	Y	N	Y	N	Y	Y	N	N	*	N	N	Y	N	*	N	Y	N	N	Y	N	N	N	Y	N	N	Y	N	N	N
Stull	N	Y	N	Y	N	N	N	Y	N	N	N	Y	N	Y	N	N	N	N	Y	Y	N	N	N	N	N	N	N	Y	N	Y	N	N	Y	N	N	N	N	N	N	N	N	N	N
Wakefield	N	*	*	N	N	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Wood	Y	Y	Y	N	N	*	N	Y	N	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	Y	N	Y	Y	Y	N	N	N	Y	N	Y	N	Y	Y	Y	Y	Y	Y

AB 2293 (Chacon) — Authorizes any community college district in San Diego County to establish a pilot program for collecting mandatory student body organization membership fee, if ⅔ of students approve. Failed 18-36.

AB 1757 (H. Johnson) — Would authorize defense attorney or his investigator to record statements of witnesses in criminal cases without their knowledge or consent. Passed 43-21.

AB 1550 (Burke) — Requires abortion counseling services to advise persons given abortion information or counseling of physical and psychological risks of abortion. Places limitation on physician and counseling service referral fees. Passed 43-12.

AB 217 (H. Johnson) — Requires price of any drug for sale at a pharmacy to be posted by the pharmacist so as to be clearly visible to customers. Failed 17-39.

AB 807 (Sieroty) — Establishes minimum rights for persons detained or confined in county jails. Passed 42-21.

AB 1470 (Fong) — Requires hospitals performing abortions to provide abortion or family planning counseling sessions or both for women approved for abortion, upon their consent. Passed 53-11.

AB 1706 (Brown) — Requires disclosure of grand jury transcript of witness' testimony to defendant and prosecutor, for use in pending or subsequent criminal proceeding, if no indictment was returned by grand jury. Passed 42-20.

AB 273 (Keysor) — Requires operators of ski areas to maintain public address equipment and three-feet square chalkboards at designated points for making announcements in emergency situations. Failed 26-31.

AB 1042 (Bee) — Authorizes school districts to allow teachers to receive cash payment in lieu of transfer credit for accumulated sick leave when transferring from one school district to another. Failed 39-16.

ACA 20 (Hayes) — Proposed court reorganization plan. Abolishes municipal and justice courts and transfers their functions to superior courts. A constitutional amendment to be submitted for voter approval. Failed 25-34.

AB 2082 (Braithwaite) — Extends jurisdiction of Fair Employment Practices Commission to domestic workers. Passed 44-12.

AB 1384 (Knox) — Authorizes attorney general to examine the business affairs of health care service plans. Provides that such plans must pay the costs of an examination and that, if they refuse, the attorney general may prevent them from continuing their activities. Passed 55-9.

AB 1832 (Cory) — Requires all institutions of public higher education to require all applications for any student financial aid to disclose all taxable income and all nontaxable income. Requires community colleges, state universities and state colleges to consider nontaxable income when determining eligibility for educational opportunity programs. Passed 61-2.

AB 2285 (Garcia) — Requires school districts to employ bilingual persons in the administrative offices of each school when at least 30 percent of the pupils enrolled do not speak English as primary language. Failed 40-24.

ACA 77 (Braithwaite) — Adds new article to state constitution declaring the use of public funds to provide housing for any person in state serves a public purpose. Grants legislature power to make loans or grants, acquire real property, authorize the issuance of revenue bonds, and make voluntary appropriations to assist financing in order to provide housing. Failed 50-16.

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"There is something about a convention that makes it as fascinating as a revival or a hanging."

– H. L. Mencken

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